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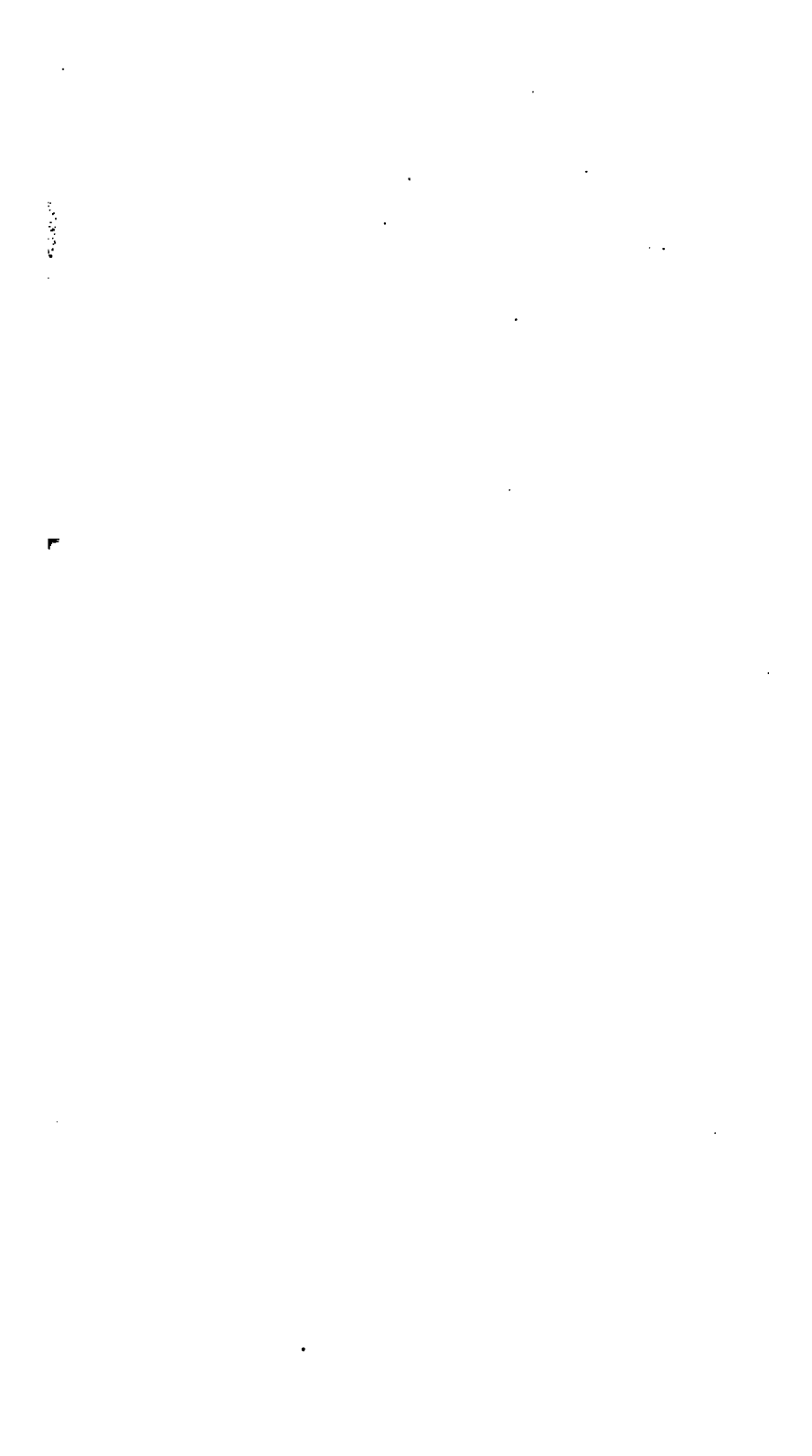
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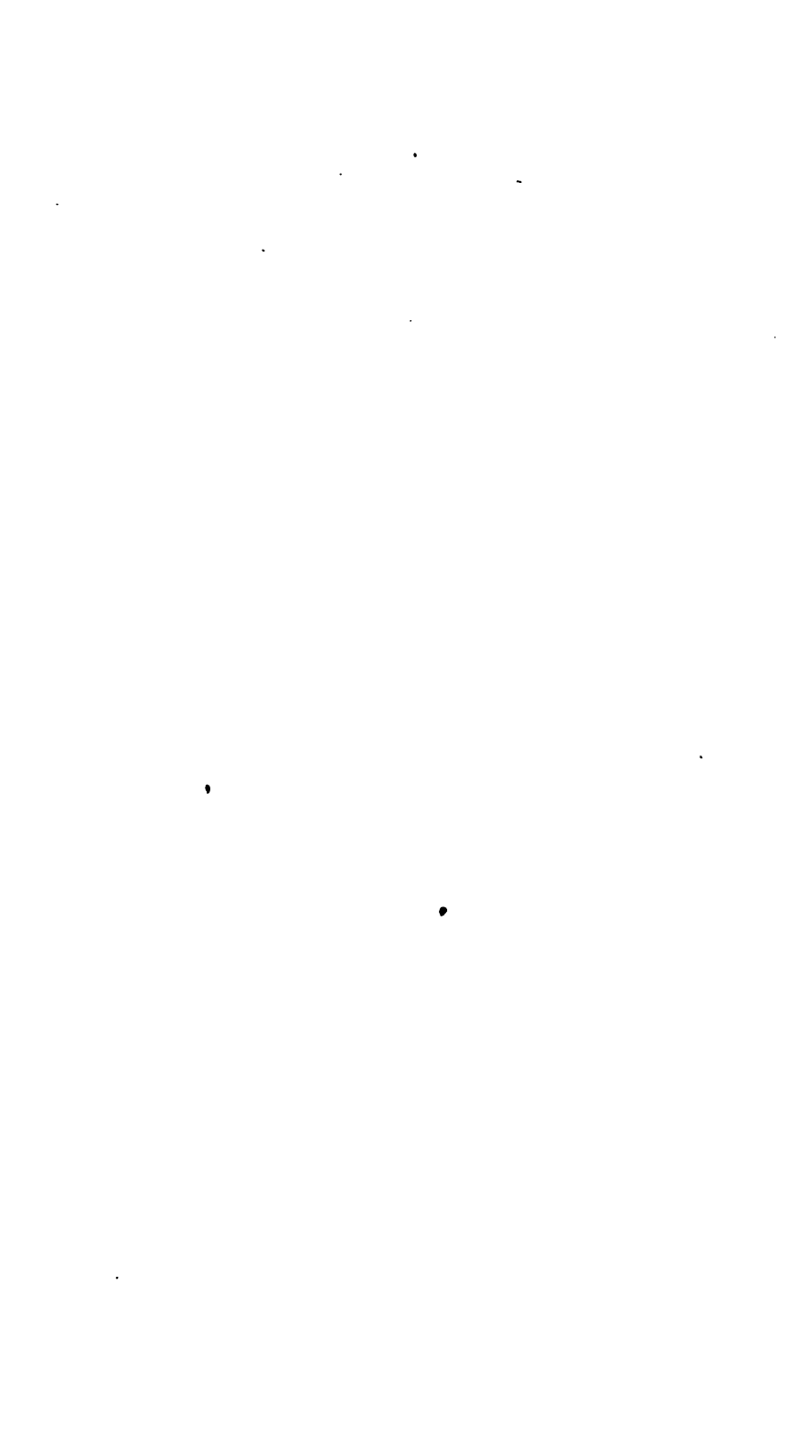
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THELYPHTHORA;

O R,

A TREATISE ON FEMALE RUIN,

IN ITS

CAUSES, EFFECTS, CONSEQUENCES,
PREVENTION, AND REMEDY;

CONSIDERED ON THE BASIS OF THE

D I V I N E L A W:

Under the following HEADS, viz.

MARRIAGE,		ADULTERY,
WHOREDOM, and		POLYGAMY,
FORNICATION,		DIVORCE;

With many other INCIDENTAL MATTERS;

PARTICULARLY INCLUDING

An Examination of the Principles and Tendency of
Stat. 26 GEO. II. c. 33.

COMMONLY CALLED

THE MARRIAGE ACT.

IN TWO VOLUMES.—VOL. II.

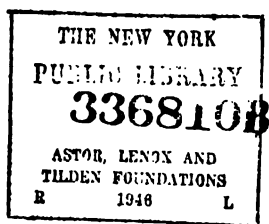
—What in me is dark
Illumine, what is low raise and support;—
That, to the height of this great argument,
I may assert ETERNAL PROVIDENCE,
And justify the ways of God to MEN.

MILTON.

L O N D O N:

Printed for J. DODSLEY.

M.DCC.LXXX.



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MEMORANDUM.

“ THE grand question to be tried is —

“ Whether a SYSTEM filled with *obligation* and *responsibility*, of MEN to WOMEN, and of WOMEN to MEN, even unto *death* itself, and this established by INFINITE WISDOM, is not better calculated to prevent the *ruin* of the *female sex*, with all its horrid consequences, both to the public and individuals, than a SYSTEM of *human contrivance*, where neither *obligation* nor *responsibility* are to be found, either of MEN to WOMEN, or of WOMEN to MEN, in instances of the most *important* concern to BOTH, but more especially to the *weaker sex*?”

See Vol. i. Pref. xxiii. xxiv.

E R R A T A.

V O L. I.

Pref. p. xvii. l. 6. *dele* that.

— p. 33. l. 7. *for* conferration, *read* confairreation.

V O L. II.

Page 7. l. 3. of the second n. *for* coiri *read* coire.

72. l. 19. *after* any, *add*, where God's law hath not made it so.

99. n. l. 3. *for* alterations *read* altercations.

167. l. 7. n. *for* be *read* he.

230. l. 12. n. *for* Cramner *read* Cranmer.

THELYPH.

THELYPTHORA.

CHAP. VI.

Of D I V O R C E.

STILL on this subject, as on all the rest, we must keep the holy *scriptures* alone in our view; as the will of God; touching this, and all things else; is only to be known from the revelation which He hath been pleased to make of it in His word.

The first marriage we read of, was between our first parents *Adam* and *Eve*, and on that occasion, we find the will of THE MOST HIGH, with respect to the *indissolubility* of the marriage, declared by the mouth of *Adam*, Gen. ii. 23, 24.—*This is now bone of my bones, and flesh of my flesh; she shall be called WOMAN, because she was taken out of MAN. Therefore (or, for this cause) shall a man leave his father and mother, and shall CLEAVE unto his*
Vol. II. B wife,

wife, and they shall be one flesh. These are not to be looked upon merely as the words of *Adam*, but of *HIM* that made them *male* and *female*, declared by *Adam*. See *Matt.* xix. 4, 5; where *CHRIST* quotes this primary law of marriage, and absolute prohibition of *divorce*, thus—*Have ye not read, that he which made them at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and cleave unto his wife, and they twain shall be one flesh.* *Comp.* 1 *Cor.* vi. 15, 16. The conclusion which *CHRIST* draws from this institution is as follows—*Wherefore they are no more twain, but one flesh: what therefore God hath joined together, let not man put asunder.* By this it appears, that when once a man and woman have become *one flesh*, they, by *this act*, though two distinct and independent persons before, are so indissolubly *one*, in consideration of the *divine law*, that neither the parties themselves, nor any other person, or power upon earth, *can put them asunder.* It is not by the ordinance of man that they are joined together, but by the ordinance of *GOD*; therefore *OUR SAVIOUR* saith, *What God hath joined together* (by pronouncing them *one flesh*) *let not man put asunder.*—But was this rule to be understood in so absolute a sense as to admit of no relaxation or exception whatsoever?—No : We read of
one,

one, which was allowed to be a dissolution of the marriage-bond, and that was—the woman's *uniting herself to another man than her husband*; this is the true scriptural idea of *זנות* *adultery*. The moment this happened, the husband was totally released from all * obligation to her, or union with her; and, as appears also from the mind of God, afterwards declared in the farther promulgation, and more explicit revelation of His law, might not only *put her*

* Dr. *Ayliffe*, as cited in *Burn's Eccles. Law*, Tit. *Marriage*, says—that “a divorce *a vinculo matrimonii* cannot be for *adultery*, for that the offence is “after a just and lawful marriage;” and cites 1. Inst. 88.

This was the doctrine of Father *Soto* at the council of *Trent*, adopted by that Synod, and decreed, with an *anathema*, against all who should say that the church had erred in so determining.

This doctrine of the “contract not being dissolved “by the *adultery* of the wife, so as that the husband “might marry again,” was vehemently opposed by the *Lutherans*, who did maintain, that “*adultery* “was a cause of divorce *a vinculo matrimonii*.” However, this kingdom has adopted the doctrine of the *papists*—wherefore the *Ecclesiastical Courts* can go no farther than a divorce *a mensa et toro*, in cases of *adultery*; nor can the injured husband get rid of the *adulteress*, so as to marry again, without a special *Act of Parliament*, which now takes place of the *Pope's* dispensation for that purpose;—a mode of remedy this, instituted of man, not of God—profitable to those who are to receive their fees—*expensive* to those who are to pay them;—so expensive, as to be totally out of the reach of the generality, who are, by these means, deprived of that relief which they are

ber away, but, if he chose to bring her to a public trial, have *her*, and the *man* who defiled her, *put to death*. This, as appears from the whole tenor of the law as delivered

ipso facto entitled to by *nature, reason, and scripture*.—Compare Matt. v. 31, 32. with Jer. iii. 8. and consider well כרת—to *cut off*; and ἀπολυσεν—to *set loose, or release*.

These words are of much stronger import than ἀφίημι—to *send away*, or *dismiss* from *cohabitation*—which we are to understand to be the meaning of St. Paul, 1 Cor. vii. 11. γυναῖκα μὴ ἀφίεναι—and ver. 12. μὴ ἀφίενω αὐτήν; this certainly answers to the idea of a *dismissal* from *cohabitation*, or a divorce *a mensa & thoro*—but ספר כריתת—*libellum excidii*, or bill of *cutting off*, must be meant of the *bond itself*, and so is it always to be understood in the Hebrew scripture. This was in the husband's own power, without the interference of any, unless of the *witnesses* before whom perhaps it might be signed, though certainly *lawful* in God's sight, in no case, where the marriage itself had been just and lawful—παρεκτὸ λόγου πορνείας, as the infallible interpreter of the *divine law* speaks, Matt. v. 32.—*except for the cause of fornication*:—there the idea of divorce is expressed by ἀπολυω—"Οὗς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτῆς, &c. Now ἀπολυω signifies to *loose—set loose—or release* as from a bond, and so to divorce a wife by *loosing the bond of marriage*, which, that it might be done *on account of fornication* before, or *adultery* afterwards, is surely as clear as the sun; for saying that a thing may not be done, except for *one reason only*, is saying that for *that reason* it may be done, or language must lose its meaning. The fathers at *Trent* were hard put to it to make a decree upon the subject, for they had the scripture, the opinions of St. *Ambrose*, many of the *Greek fathers*, and the practice of the *eastern church*, against them; so they *split the hair*—not by condemning those who say that "matrimony may be *dissolved* by *adultery*, and

" another

delivered by God to *Moses*, and by him delivered and explained to the people, was the *only* legal cause of *divorce*, where the marriage was at first just and lawful. This certainly

“ another contracted”—which *Ambrose*, &c. maintained;—but, by condemning those who say “ the church may err in teaching otherwise.” The truth of the matter was, that by declaring *adultery* to be no cause of divorce *a vinculo matrimonii*, they reserved the lucrative business of *dispensation* in the hands of the *Pope*; who, arrogating to himself a power of trampling on all the laws of heaven and earth, readily enough granted *divorces*, with or without cause, to such as were able to pay for them, either in money, or by adding to the power, wealth, and territory of the church.

In 1548 the *Marquis of Northampton* was divorced from his wife, whom he convicted of *adultery*; but the divorce being only a *mensa & toro*, the question was, whether he could marry another wife? And in the beginning of king Edward's reign a commission was granted to *Cranmer*, *Archbishop of Canterbury*, the Bishops of *Durham*, *Recheſter*, to Dr. *Ridley*, and six more, to examine and try the question; but before it could be determined, the *Marquis* married solemnly *Elizabeth*, daughter to *Brooke Lord Cobham*; for this he was put to answer before the council: He there said, “ he thought, that, by the word of God, he was discharged of his tie to his former wife; that the making marriages indissoluble, was but a part of the popish law, by which it was reckoned a *sacrament*; and yet the Popes, knowing that the world would not easily come under such a yoke, had, by the help of the *Canons*, invented such distinctions, that it was no uneasy thing to make a marriage void among them: that the condition of this church was very hard, if, upon *adulteries*, the innocent must either live with the guilty, or be exposed to temptations

certainly was, as well where the woman's act of incontinency was committed before marriage, and found out afterwards, as where it was committed afterwards.

The word *πορνεία*, which the Evangelist makes use of Matt. v. 32. and not *μοιχεία*, which more particularly answers to the Hebrew *זָנָה*—*adultery*, has occasioned some to think, that it relates to an act done by the woman *before* marriage, but found out *afterwards*, for which he might *put her away*, and not only that, but might have her *stoned to death*, if he chose to make her a *public example*, as appears Deut. xxii. 21. However this supposition may be true, yet it cannot be the *whole truth*, for the word

“ to the like sins, if a separation only was allowed,
“ but the bond of the marriage continued undis-
“ solved.”

However, as things had proceeded so far before the *delegates*, it was ordered that *he* and his *new wife* should be *parted*, till the matter should be determined. In conclusion, the whole question was divided into *eight queries*, which were put to some learned men (who, does not appear); who returned their answer in support of the *second marriage*.—In fine, the whole was determined in favour of the *Marquis*, and he allowed to cohabit with his second wife.—See this whole matter in *Burnet's Hist. Ref.* second part. p. 56, 57, 58. and *Coll.* to Part 2. B. i. N^o 20.

Burnet, Art. Ch. of Eng. p. 289, 3d edit. observes, that—“ the notion of a separation for *adultery*, and yet the bond of marriage continuing,
“ was never known till the *Canonists* brought it in;
“ but the indissolubleness of the marriage, even for
“ *adultery*, was never settled in any council till that
“ of *Trent*.”

must

must equally relate to an act done after marriage or espousals, as appears from Joseph's intention with regard to his espoused wife Mary*.—He being a just and holy man, and therefore not willing to marry † a woman whom he thought to be an *adulteress*, yet unwilling to expose her to public shame, or to make her a public example, was minded to put her away privily. Matt. i. 19. I take πορνεία, which we render *fornication*, to be like the word ἀκαθαρσία—*uncleanness*, a general term inclusive of all illicit commerce between the sexes, of which *adultery* is a species; therefore used by our LORD to include every species of criminality in the wife, which is mentioned in the Old Testament: as—First—her having had commerce with another man before any betrothment, espousals, or marriage with her present husband. See Deut. xxii. 13—21. Secondly—after being *betrothed*, ver. 23, 24. Thirdly—after marriage, ver. 22. Πορνεία has evidently this

* Under the law of Moses, a virgin betrothed was reckoned the wife of him to whom she was espoused, and was to be stoned to death if she wilfully lay with another man. Deut. xxii. 23, 24.

† The text says—πριν η συνελθειν αὐτης—before they came together she was found with child, &c. Συνελθειν is—to have matrimonial commerce—congrēdi—coiri—which consummates marriage, and makes the parties one flesh. Matt. i. 18. 1 Cor. vii. 5. See Parkh. Gr. & Eng. Lex. and Leigh's Crit. Sacr. sub. voc. Συμπερχομαι.

sense, 1 Cor. v. 1. As CHRIST most probably spake in *Hebrew*, it is to be supposed, by the *Evangelist's* delivering to us the word *πορνεία*, that CHRIST expressed Himself by the word *זנות*, which signifies *whoredom* in general.

When we speak of *divorce*, we must always pre-suppose a lawful marriage, I mean such a one as is lawful according to the law of God. Those which were forbidden of God in those positive laws, Deut. vii. 3. with respect to connections with the *heathen*, as well as those which we find prohibited Lev. xviii. by reason of *consanguinity* and *affinity*, were not only *voidable*, but *void* * in themselves, after they were forbidden by those positive laws.

* The laws against marriages with *heathen* women, must not be understood to affect the validity of marriages with such as were proselyted to the worship of the true God, from the worship of *idols*. Such women, being out of the *mischief* which those laws were enacted to provide against—that of corrupting and turning their husbands from God to *idols* (see Deut. vii. 4.)—were certainly out of the *intention* of it, and were indeed as much members of the church of God, as the *Jewish* women themselves were. Such were *Rahab*—*Ruth*, and others mentioned in scripture as married to men in the *holy line*. See Ps. xlv. 10, 11. Of this number we must also reckon *Solomon's* wife *Naamah*, the *Ammonitess*, (the mother of *Rehoboam*) whom *Solomon* married a year before he came to the throne of *Israel*, when his heart was filled with zeal for God's law—the neglect of which, in his more advanced years, plunged him into gross idolatry. See 1 Kings xi. 1, 2, 3.

But

But amongst all those laws, there is not the least trace of forbidding marriage, or enjoining *divorce*, on account of any *pre-engagement* whatsoever on the *man's side*. Wherefore all our *divorces* on that account, which we derive from human invention and *church-power*, are without God's authority, therefore unlawful in His sight, as *putting asunder* those who ought not to be separated. Had the law of God forbidden a man to have *more than one wife* at a time, all but the *first* must have been *put away*, and that by the sentence of the magistrate, for the same reason that the *Jews*, in *Ezra's* time, were commanded to *put away* the *idolatrous* women whom they had married; because it would have been contrary to God's positive law* to have kept them—see before vol. i. p. 136. So *John the Baptist* told *Herod*, who had married his brother *Philip's* wife—"It is not lawful for thee to have her." Matt. xiv. 4. *ἐχειν αὐτήν*—to retain her. He was doubtless bound to *put her away*, since God himself had, as it were, *forbidden the banns* (Lev. xviii. 16.) even supposing the brother had been dead; for he had a daughter by *Herodias* living, named *Salome*, who

* The law against marrying with *Heathens*, though positively enacted, Deut. vii. 3. yet subsisted before, as may appear from what *Jacob's* sons said, Gen. xxxiv. 14. to *Shechem* and *Hamor* on the subject of *Dinah*.

would have been heiress to *Philip*. Numb. xxvii. 7, 8. See *Josephus*, Ant. Lib. xviii. 6, 4. *Doddridge*, vol. i. 166. note a. But as *Philip* was then living, *Herod* also sinned against the *seventh* commandment, in *taking* her at first; and therefore it was *unlawful for him to have her at all*. So in the case of *Abimelech* who had taken *Sarai* the wife of *Abram*, he is commanded to put her away, and *restore her to her husband*, on pain of death. Gen. xx. 7. In all cases where the *taking* was forbidden, as well in *heathen* and *idolatrous*, as in *incestuous* connections, the *retaining* seems to be unlawful, as a constant repetition, and continuation of the forbidden act: but where the taking is nowhere forbidden, there is no *allowed* cause of *divorce*, or putting away, *except for the cause of fornication*, or the woman's having suffered herself to be *defiled* by another man, either *before* or *after* their coming together.

If we take the words of the primary institution merely by themselves, and judge of them by their *sound* (as the *Papists* do—*Hoc est corpus meum*—in support of the ridiculous lye of transubstantiation) they may be said to intimate that a man shall have but *one wife*, not only at *once*, but, as some have contended, as long as he lives; and thus *second* marriages are forbidden: but if we consider them as ex-

plained by God himself in the subsequent parts of the scripture, they appear to mean that a man shall *cleave* to *any* and *every* woman that he marries, and not *put her away except for fornication*. I conclude this to be the import of the law, because, if it was meant to forbid *polygamy*, and to enjoin the *divorce* of a *second* woman taken, living a *first*, we should somewhere have met with an explicit determination of the matter ; but such a thing, or even an hint or trace of it, is not to be found. So far from it, God, in that declarative law, Deut. xxi. 15. absolutely ratifies the *second* marriage as much as the *first*, not only by declaring the issue of the *second* equally inheritable, but even to take place of the other as to the right of the *first-born*, if *born first*. This could not be, if taking the *second* was a forbidden act; such *second* taking, being prohibited, would have been *null* and *void*, as in other instances, and the man would have been commanded to have put away the *second* wife and her children, as was done in the case of other forbidden contracts. See *Ezra*, x. 3. The direct contrary appears, for on the footing of that law, the man could no more *divorce* the *second* than he could the first ; God calls them both נשים—which word, though, when it stands by itself, it denotes the *female sex in general*, like the French *Femmes*, yet

yet in the connection it stands here, like the word *Femmes* also, denotes *women in a marriage relation*, or *wives* as we translate it. God likewise determines the issue of both to be *equally legitimate*, by making them *equally inheritable*. This law was subsequent to the *Adamic* law, could not contradict it, therefore must be looked upon as entirely consonant with its whole intention; for God cannot contradict himself. That God made general laws subject to certain exceptions, on particular occasions, and for particular purposes, is very plain; we have an instance of this, Deut. xxv. 5. where a *brother* was to marry his *brother's widow*, though against the *general law*, Lev. xviii. 16; but this particular case was excepted out of that *general law*, for a particular purpose, which appears in the law itself (see before vol. i. p. 261.) but where this was not the case, there the *general law* was to be observed. The permissions of *divorce* which respected the *bond-maids*, Exod. xxi. 11. the *captive-women*, Deut. xxi. 14. seem also exceptions to the *general law*; but these are things peculiar to the *Jews* at that time, and cannot concern us. Therefore, as we live under the *general law* against *divorce*, delivered Gen. ii. 24. which equally binds all mankind, it is most assuredly as unlawful to abandon *one wife as another*, except
for

for the cause of fornication. All divorces of human invention, fall as much under the interdict of God's law now, as in the days of CHRIST's dispute with the *Pharisees*; wherefore a divorce, which declares the nullity of a *polygamous* marriage, is not only without all foundation from God's word, but is an arraignment of the wisdom and holiness of God, as well in permitting, as in ratifying, blessing, and owning such contracts to be valid in all respects. That He did all this is manifest, as hath at large been proved, nor is there a single instance to the contrary throughout the *whole bible*.

This matter is not a mere speculative point, but of the most important concern; for if women, taken by men already married, were not *lawful* wives in God's sight, then *commerce* with them was *illicit*, and the issue must be *illegitimate*, and, if so, *uninheritable*.—Whither will this carry us? Farther, I dare say, than the most zealous *anti-polygamists* mean it should, even to the bastardizing the MESSIAH Himself. Unless an after-taken wife be a *lawful* wife to the man who takes her, notwithstanding his *former wife* be living, whether we take our LORD's genealogy on His *supposed father's* side with *St. Matthew*, or on His mother *Mary's* side with *St. Luke*, *Solomon* the ancestor of *Joseph*,
and

and *Nathan* the ancestor of *Mary*, through whom our LORD's line * runs back to *David*, being the children of *Bathsheba* (whom when *David* married he had also *other wives* by whom he had children) must fail in their *legitimacy*, consequently all that could be claimed from the common ancestor *David* must be defeated; for if there be a failure *here*, nothing can *set* it right even to the *latest posterity*. We must therefore either allow that *polygamous* marriages were valid and lawful in the sight of God, or deny CHRIST to be the *son of David*; for in the language of scripture, a *bastard*, or one corruptly born, is

* *David* being, by God's own appointment, seated on the throne of *Israel*, which was settled on him and on his seed—became the *common ancestor* in whom the whole *royal family* might be said to center, and from whom the succeeding kings must make out a *legal title*—this is probably the reason why (Acts ii. 29.) he is styled *the Patriarch David*.

It is true that *ten of the tribes* were *rent out of the hands of Solomon*, 1 Kings xi. 31. but the kingdom of *Judah* still remained, which was inherited by a regular succession of *David's* lineal and lawful descendants, till it centered in the person of the *Man Jesus*, as to the *hereditary right*, though the *possession* of it had been long interrupted, and, according to that ancient prophecy of *Jacob* (Gen. xlix. 10.) the *sceptre and lawgiver* were departed from *Judah*, when *Shiloh* came to set up a *kingdom not of this world*. Comp. Is. ix. 6, 7. Dan. ii. 44. with John xviii. 36.

not

not a son *. So the apostle, Heb. xii. 18. *Then are ye bastards and not sons—* *νόθοι καὶ οὐκ υἱοὶ*.—Nor could he be hereditary king of Israel. To make out His title to this, all his ancestors up to David must be proved to be David's lawful and inheritable issue, for that is one meaning of *the seed of David according to the flesh*. Rom. i. 3; as we should say, in modern language—*heir of his body lawfully begotten*. This could not be on any other footing than a polygamous marriage being as lawful as any other in the sight and judgment of the MOST HIGH; otherwise Solomon was *νόθος καὶ οὐκ υἱος*—*a bastard and not a son*—through whom must be derived the heirship to

* i. e. Not in a proper, legal, or inheritable sense.—In common acceptation the word בן may denote a boy or male child, of which an harlot may be delivered, (see Judges xi. 1. and 1 Kings iii. 20, &c.) as the word *son* may among us—still this word is seldom used by us without some note of distinction, where a *bastard* is spoken of—such as *natural* or *base-born son*; so a *female bastard* is seldom called *daughter*—but *natural* or *base-born daughter*. The Hebrew word for one corruptly or spuriously born is ממוזר. The Greek *νόθος*, a *bastard*, is opposed to *υἱος*, a *son*. The Hebrew בן is used also for the *male offspring* of a *brute*, (see Zech. ix. 9. בן אנתות—to which the *υἱοὶ ἀπολογιστοῦ*, Matt. xxi. 5. answers)—it therefore seems to denote, in a general sense, *male offspring* of any kind; but in the true, legal, and proper sense of it, when applied to the *male offspring* of mankind, frequently to denote *lawful issue*, in opposition to that which is *corrupt* or *spurious*.

David

David on CHRIST's supposed father's side. So likewise was *Nathan* a bastard and not a son, through whom CHRIST's heirship to the throne of *Israel* must be derived on the side of His mother the *Virgin Mary*. It is sufficient to prove one link in the chain of CHRIST's genealogy from *David* faulty, to defeat all His title to the appellation of *Son of David—King of Israel*. We might go farther, and say that *Rehoboam*, the immediate descendent from *Solomon*, was also a polygamist. He took *Mahalab*, then *Abibail*, then *Maachab* the daughter of *Ab-salom* (whom, it is said, *he loved above all his other wives*) by whom he had *Abijah*, his successor in the throne of *Israel*, and who stands on record as a lawful descendent of *David*. Matt. i. 7. See 2 Chr. xi. 18, 21, 22.

We might also reckon the good king *Josiah* among the polygamous kings of *Ju-dah*; we read of two of his wives, 2 Kings xxiii. 31, 36. the name of one was *Hamutal*, the daughter of *Jeremiab* of *Libnah*, by whom he had *Jehoiakim*; and the name of the other was *Zebulab*, the daughter of *Idiab* of *Rumab*, by whom he had *Jehoiachin*, the father of *Jecooniab*, who found, Matt. i. 11, 12, in the line CHRIST's ancestors from *David*. For character of *Josiah*, see 2 Kings xxiii. Like unto him there was no king before

that turned to the Lord with all his heart, and with all his soul, and with all his might, according to all the law of Moses, &c.

- Now, to go no farther, if a *polygamous* marriage was *unlawful*, and of course *null* and *void* before GOD, then was not CHRIST legally descended of *the house and lineage of David*, but from a spurious issue, not only in the instances abovementioned, but also in others which might be mentioned. So that when CHRIST is supposed to condemn *polygamy* as *adultery*, contrary to the institution of marriage, and to the *seventh* commandment, He must at the same time be supposed to defeat* his own title to the character of the MESSIAH, concerning whom GOD *had sworn to David*, that *of the fruit of his loins, according to the flesh, He would raise up CHRIST to sit on his throne.* See *Acts* ii. 30. with *Pf.* cxxxii. 11. *The fruit of his loins* in this place, and *the seed which shall proceed out of thy*

* Filius qui petit hæreditatem tanquam filius, debet probare filiationem. "A son who seeks an inheritance, or estate by succession, as a *son*, ought to prove *sonship*." This maxim of the *civil law* was also among the *Jews*; they excluded, on the authority of *Deut.* xxiii. 2. from all the privileges of the *Jewish* common-wealth, both civil and religious, not only all illegitimate issue, but even that whose legitimacy was any ways doubtful. See *Univ. Hist.* vol. iii. p. 117. note L. *Comp. Judg.* xi. 1, 2. Also *Ezra* ii. 62. *Neh.* vii. 64.

bowels, 2 Sam. vii. 12. are expressed, 1 Chron. xxii. 9. by—*Behold a SON shall be born unto thee*—which, though *primarily* spoken of *Solomon*, *ultimately* points to CHRIST, as 2 Sam. vii. 14. with Heb. i. 5. demonstrably shew. Therefore CHRIST is emphatically styled THE SON OF DAVID.

How would all this stand by *our law*? *Decius*, a nobleman of large estate, having this, as well as his honours, limited to him *and the heirs of his body*, marries *Decia*, by whom he has no issue; then, living *Decia*, he marries *Portia*, by whom he has a son. *Decius* dies. This son cannot inherit the estate and honours of *Decius*, as heir of his body, nor can this be done by any of the descendents of that son to the latest posterity. The reason of which is, that we deem a *polygamous* marriage no marriage at all, but *null and void* to all intents and purposes whatsoever; but not so the *law of God*: which is *wisest and best*, must be left to the consideration of the *judicious* reader.

There is a remarkable circumstance in *David's* history, which I cannot help observing on this occasion, which is, that the adulterous offspring of *David* by *Bathsheba*, the wife of *Uriah*, begotten by *David* during the life-time of *Uriah*, is mentioned *twelve* times in *eight* following verses, 2 Sam. xii. 15, &c. and is

not once called בן—a son; but הילר—the man-child. The prophet *Nathan* indeed says, ver. 14.—הבן הילור לך—the son which is born unto thee—which carries with it a sharp reproof of *David*, who, before he came to a right and sense of his sin, might have called it so himself; but after he was awakened to a due sense of his iniquity, not all the torments which he endured while the child was sick, nor the news of its death, ever induced him to call it בני “my son,” but הילר—the man-child. How differently did he express himself on the news of the death of *Absalom*, 2 Sam. xviii. 33. and 2 Sam. xix. 4. where eight times in two verses he repeats—O *Absalom*, my son! my son! &c. I’ll venture to suppose that, if *David* had been asked the cause of this distinction, we should have reason to think he saw a most important difference, between a child begotten in adultery, and a son begotten and born under polygamy.

I think the prophet *Nathan* used the word *son* in an improper sense, as above-mentioned, and for the reason there given; because the child, being begotten in adultery, was a *bastard*; not a son, in the legal sense of the word. בן—a son, is from the root בנה which signifies to build; as an house, a city, &c. therefore בן—a son, is so called, in the true legal and proper sense

of it, because he *builds up or continues his father's house or family*. The child therefore of David's adulterous intercourse with Bathsheba, was not properly a son. And the Holy Spirit, ver. 15, when He returns to the narrative of God's dealings with David for his iniquity, saith, And JEHOVAH struck, (not הֵבֵן—*the son*, but) הֵילֵךְ—the *man-child*, (see Exod. i. 17, 18.) which Uriah's wife bare unto David: and we do not find this unhappy offspring ever mentioned afterwards, either by David or his servants, by any other name. We use the word *son* much in the same sense with the Hebrew בֶּן, to denote *lawful issue*. If a man makes a will, and leaves his estate and effects to *his son or sons*, no bastard could take under this description, the word *son* only denoting *lawful issue*. Hence no *bastard* can have any ancestors to whom he can inherit or be *an heir*—but, as saith the apostle, Gal. iv. 7. *If a son then an heir*, which explains what he means (Rom. viii. 17.) by saying—*If children then heirs*, &c.; for it is as true in the scriptures as in our law—“*qui ex damnato coitu nascuntur, inter liberos non computantur*”—“those who are born from illicit commerce are not reckoned amongst children.” It follows, therefore, that our LORD's ancestors, Solomon, Natban, Abijah, &c. in the direct line from David, must all be deemed

deemed of GOD the issue of *lawful* marriage, otherwise He is not the *Son of David*—the *King of Israel*. The lawfulness of *polygamy* must of course be established, or the whole of *Christianity* must fall to the ground, and CHRIST not be *He that was to come, but we must look for another*. *Matt. xi. 3.*

Our *divorces, causa præcontractus*, or because of an antecedent contract on the man's side, are without the *divine authority*, and stand wholly on the inventions of men upon the subject of *polygamy*; these originate from the received notion that though *polygamy* was "allowed under the " Old Testament, it is forbidden under " the *law of the New Testament*;"—wherefore all *polygamous* contracts are *null* and void*

* I do not find that the *ecclesiastical courts* have gone any farther in such a case, than merely pronouncing a polygamous contract *null and void*, ab initio—I cannot meet with any instance of their punishing a man as an *adulterer* or *fornicator*.

These courts are called *spiritual*, because they take cognizance of offences of a spiritual and religious kind, and they profess to judge by the *law of GOD*—but where is there to be found, in all the *law of GOD*, either a precept or example to justify this sort of divorces, *causa præcontractus*? The truth is,—*they make void the law of GOD through their traditions*; and a man who is *divorced* on such an account may very justly, with a little variation, apply to the judge who pronounces the *sentence of divorce*, what was said by *Paul* to the *high-priest ANANIAS* on another occasion,

void in themselves, and the parties entering into them are to be divorced. But as there is *no law* in the New Testament which is not in the Old Testament, the latter must for ever remain as the invariable rule of right; wherefore all *divorces* whatsoever, which have not their grounds and reasons in the *divine law* which was delivered by *Moses*, are encroachments on the *divine prerogative*, and amount to the sin of—*putting asunder those whom God hath joined together.*

Polygamy on the man's side (for that is the sense in which I would be understood to use the word throughout this whole book) is no cause of *divorce*, either with regard to the former or to the after-taken woman; had it been so, we surely should have found some instance of it in the *History of the Church*, from *Adam* to the time of the *prophet Malachi*, that is to say, in the space of about 4000 years. Nor is it to be imagined, that God should suffer His own *chosen* people to have con-

occasion, Acts xxiii. 3. *Sittest thou to judge me after the law, and commandest me to be DIVORCED contrary to the law?* The right of the *ecclesiastical powers* to *divorce* the man, and the right of the *civil powers* to *hang* him, are equally without all foundation in the *divine mind and will*, as revealed in the scriptures, and are built on that *πρωτοϋ λευδος* of the council of *Trent*, concerning the “unlawfulness of *polygamy* to *Christians.*”

tinued

tinued in the open and avowed practice of living with *more wives than one*, if the very first positive law, which is evidently the foundation of all others upon the subject, was intended to forbid or prevent such a practice; as little is it to be conceived, that He should make laws for the regulation of it, if He had forbidden the very *thing itself* to be done at all.

As to the *divorces* which *Moses* permitted, it was a mere *toleration*, to avoid worse consequences, if those *hard-hearted Jews* had been forced to keep their hated wives. It was no repeal, or even suspension, of God's positive law, but only operated as an exemption from the censure and animadversion of the magistrate*; it was no less a breach of God's law in those who did it, than if such *permission* had never been given; as OUR LORD evidently shews in His discourse with the *Pharisees*, in his exposition and application of the antient *law of God*, and in the conclusion which He draws from it. So, though our *ecclesiastical* courts take upon them to pronounce a contract *null* and *void*, which is entered into with a *second*

* It would have been very injurious to have punished the *women* who left their husbands under a *bill of divorce*, even though they went to another man, seeing this was by the husband's own act and deed; for—*Volenti non fit injuria*.

wife, living a first, yet this does not affect the matter in the sight of God, they are not the less *husband and wife*; for being joined together according to His institution, and thus being pronounced by Him *one flesh*—the command is—*let not man put them asunder*.—All such divorces are therefore *null and void*, and as ineffectual to dissolve a marriage in the sight of God, as *Moses's* bill of divorcement was. On the footing of God's law, *Jacob* could no more have abandoned *Rachel*, his *second* wife, than *Leab* his *first* *; nor could *Elkanah* have any more divorced *Hannah* than *Peninnah*—nor could King *Jeboash* have put away either of those *wives* which *Jeboiada* the high-priest had taken for him.

* *Abraham's* putting away *Hagar*, is not the least exception to the rule here laid down, for this was done by the IMMEDIATE COMMAND of *Heaven*, not only to deliver *Sarah* from the insolence of *Hagar*, and *Isaac* from the persecution of her son *Ishmael*, (comp. Gen. xxi. 9. with Gal. iv. 29.) but to hold forth, in a prophetic type and figure, what was to come to pass in the latter days, when the seed of *Abraham*, according to the flesh, should be rejected for their unbelief, and persecution of the true *Isaac*, and the spiritual children of *Abraham* (see Gal. iii. 7.) be called to inherit the promises. See this whole matter opened and explained—Gal. iv. 22, &c.

Besides, it may be observed, that here is nothing said of a *bill of divorce*, the word made use of is נָשָׂא—which signifies to *expel*, *drive*, or *thrust out*, or, as we should phrase it—*turning her out of doors*—and is applied to *Ishmael* as well as to *Hagar*, ver. 10.

Why? because God's primary law was, that *a man shall cleave to his wife, and they shall be one flesh*; or, as it is expressed in that explanatory passage, Deut. xxii. 29. *She shall be his wife, BECAUSE HE HATH HUMBLED HER, he may not put her away all his days.* This positive command of GOD stands *unrepealed*, for the reason on which it is apparently founded must be the same for ever, and bears a direct and absolute testimony against all *divorces* of human invention, whether by those of old who made the law of GOD void through their traditions, and taught for doctrines the commandments of men, or by their successors of more modern date, and actually confines them to those cases *only* which are mentioned in the word of GOD. It cannot be shewn from that word, that a man's having a wife, and afterwards (living the first) marrying another, is a cause of *divorce* from either, or that *such* marriage was deemed *null and void*, or forbidden, or even *found fault* with, much less *condemned*, in any one single instance; but it is very easy to shew the direct contrary, that is to say, that wherever *any man* received the person of a virgin into his possession, he (if she was not betrothed or espoused to another) by that *single act* made her *his wife*, and was absolutely forbidden to *put her away all his days*: this, let the man's *situation* be what it might. God made

...mercies, and those who *do*, not
 have no authority but their own, but
 their authority (like the *Pharisees* of
 old) in direct opposition to, and defiance
 of every express command. They may
 be said to make the hearts of those sad,
 whose hearts had not made sad, *Ezek. xiii.*
 ... by making that sinful which God hath
 not made sinful, (for where there is no law,
 there is no transgression) and this by their
 ... and to strengthen the bands of the
 ... by releasing them from the indi-
 ... obligations which God's law lays
 them under, and thus facilitating the de-
 signs of seduction, lewdness, and debauchery,
 which God's law was evidently made to
 prevent.

One safe rule whereby we may judge of
 the laws delivered by *Moses*, as binding or
 not on christian men, I take to be this—
 namely—the considerations on which such
 laws were given; and the reasons on which
 they are grounded. For instance—the
 reason for establishing the ceremonial law,
 was to set out and shadow forth good things
 to come—*Heb. x. 1.*—therefore when those
 good things did come, that law had done its
 office, answered its end, therefore was
 it ~~cancelled~~ *cancelled* away. *Heb. viii. 13.* So
 were many political institutions,
 particularly, some to the situation
 of the Jews during their journeying through
 the

the *wilderness*—others to their subsequent abode in the *land of Canaan*—calculated for their government with respect to the peculiarity of their situation, not only with regard to themselves, but to that of the *nations* about them. These being *local*, and peculiar to their dispensation, as well under the *theocracy* administered by *Moses*, *Joshua*, and the following *judges*, as under the government of their *kings*, are not binding on *christian* men, whose situation, from the very nature of the thing, can never be the object of those *local*, or *temporary statutes*.

But when we find a *law* given, which is of perpetual and *universal* concern, such as relates to the preservation of *millions* from destruction—to the defence of the *weak* against the *strong*, and the support of God's moral government in the world, in one of the greatest of all concerns to society, the *commerce of the sexes*, there, as the *reasons* of those laws can never cease, those *laws* themselves must be of universal and perpetual obligation. Otherwise it would be making *laws* which are not commensurate with the *reasons* on which they are founded, or, in other words, God's governing His people for a limited time, and then leaving them without any government but *their own*.

We admit that God's law still con-
demns

demns *whoredom*, *fornication*, and *adultery*, and hold those marriages to be illegal, which the law of *Moses* hath made so, on account of *affinity* and *consanguinity*; but we renounce the positive law which binds for ever the *virgin* to the man who has *bumbled* her, though this very law was evidently enacted to prevent those mischiefs which arise from *seduction*, and is, in the very terms of it, clearly in affirmance of that *primary* and *universal* law, *They shall be one flesh*: but as there is the same reason for the *continuance* of this law, as there was for *giving* it at first, namely to prevent *whoredom* and *fornication*, and all the mischiefs which are the consequences of *taking* women and then *abandoning* them, it is doubtless among those *indelible* statutes, which are as unalterable as the reasons on which the *all-wise* LAW-GIVER founded them. As nothing can make a *marriage* in God's sight but His *own* institution, so nothing can make a *divorce* lawful before Him but His *own* authority. To assert the contrary, is to set man's law above God's law; which is in effect to take part * with the *man of sin*,

* The Council of *Trent* actually pronounced an *anathema* against any who should say, that the "*church*" might not dispense with some of the *impediments* mentioned in *Leviticus*, or add others." *Brent. Transl. of Polano*, 784.

the son of perdition, who opposeth and exalteth himself above all that is called God, or that is worshipped; so that he, as God, sitteth in the temple of God, shewing himself that he is God, 2 Thess. ii. 4. One character of this *man of sin* was, that he should *think to change times and laws*. Dan. vii. 25.—Our LORD's opposite character to this is very apparent in all He said and did, but no where more so, than in what He said on the subject of *divorce*, in His dispute with the *Pharisees*, *Matt. xix. 4, &c.* He there shews from the *divine law*, what *makes a marriage*, and, taken in connection with chap. v. 32. what *dissolves it*, and authorizes *divorce*—while we, like the *Pharisees*, make and unmake marriages just as we please, and, if we do but steer clear of a *priest* and an *human ceremony*, may *take and put away* as many women as we can seduce.—Methinks a *Jew* might exclaim against us in the words of *Shylock*—

“ O father *Abraham*, what these Christians are !”

Especially if he took *his bible*, and contrasted the *law of Heaven* to our laws, as they now stand, relative to the subject of marriage.

Even the antient *Goths* may serve to shame us—for they obliged him who debauched a *virgin*, to marry her, if she was equal to him in rank; if not, he was constrained to give her a fortune equal to his
his

his own condition; if he could not give her such a fortune, he was *condemned to death*, because a woman thus dishonoured had no chance of obtaining an husband without a *fortune*, and because it was by marriage only that a state could be properly peopled. See *Alex. Hist. Wom.* vol. i. p. 148.

So in the business of *adultery*:—the ancient *Germans* allowed the husband to assemble the relations of the adulteress, in their presence to cut off her hair, strip her naked, turn her out of his house, and whip her from one end of the village to the other. A woman thus publicly exposed, could never wipe away the stain of so foul an infamy, nor could any motive ever prevail on another to marry her, though youth, beauty, fortune, and every advantage combined to allure him. *Ib.* p. 151. We CHRISTIANS, reward the *adulteress* with a *divorce*, which enables her to become the legal property of the *adulterer*; that is to say, if the injured husband can afford the enormous expence of it, if not, he must be plagued with the woman during life. But to return——

The mischiefs arising from *unlawful divorce*, (for such I call *all putting away which is not authorized by the divine law*) are dreadful to think of, none can enumerate them, unless they could distinctly
count

count the miseries of *prostitution*. This can exist on no other foundation than men *taking* women, and *putting them away* just *as* and *when* they please; a practice as contrary to the *primary* law of nature established at the beginning, as to every thing CHRIST laid down on the footing of that law in His discourse with the *Pharisees*. I will allow, that, here and there, instances may be found of *females*, who owe their ruin to their own vicious inclinations, and who have nobody to blame but themselves; but for *one* instance of this sort, *hundreds* owe their destruction to the baseness and treachery of their *seducers*. The *divine law* was levelled at both these cases—if a virgin *played the whore* by prostituting *herself*, it was a *capital offence*—if a man enticed a *virgin*, &c. he was to *endow her to be his wife*, and not *put her away all his days*. While these *laws* were in force and vigour amongst the *Jews*, as to the observance of them, there could be no *whore among the daughters of Israel*, Deut. xxiii. 17. When *Moses* found it necessary in *some cases*, mentioned Deut. xxiv. 1. to *suffer them to put away their wives*, the same *hardness of heart* which occasioned this measure of *policy*, (for so it certainly was) led them to abuse it to purposes of great licentiousness, of which *adultery* grew to be the consequence, as
may

may appear from *Deut.* xxiv. 4. a scripture little considered and understood, but the basis of what CHRIST said to the *Pharisees*, Matt. xix. 9.—Still we read of no *brothels*, no public *prostitutes* of the *daughters of Israel*. If the wife, who was unjustly divorced, married another man, she committed *adultery*, the man who married her committed *adultery*, and the first husband, by being the *cause*, was liable to the guilt of such *adultery*; and though the severity of the law, as to the *temporal* consequences, was suspended by the *bill of divorcement*, yet in God's account the primary law of marriage was violated, the law of the *seventh* commandment broken, and the delinquents were answerable at the bar of the divine justice, as transgressors of the *divine law*. So said the law itself, as explained by CHRIST, Matt. v. 32. xix. 9. Mark x. 11. Luke xvi. 18.

Now to apply this.—The *obligation* created by the law of marriage is one and the same for ever, so must all those laws be, which God gave by *Moses* ; explain and enforce it; as *Exod.* xxii. 1 *Deut.* xxii. 28, 29 *. Our laws are
custo

* *Dr. Alexander*, Hist. of Wom. vol. ii. p. speaking of the privilege of *divorce* among the *J* adds, in allusion to the law of *Deut.* xxii. 28, 2
“ But he who deflowered a virgin forfeited it
“ the law obliged him, in compensation for th
“

customs may be compared to the *bill of divorcement*, which put *asunder those whom God hath joined together*; so that if a man take a virgin, (not betrothed) and lie with her, he is under no obligation to her whatsoever, he may put her away for every cause—she may go and be another

“ jury, not only to pay her father fifty shekels of silver, but to marry and retain her for life.” “ Was it possible,” says he, “ to devise a law that more strongly protected female chastity ?”—It certainly was not possible—and the abolition of this law is equally ruinous to the female sex, and an insult to that God who so graciously consulted their security and protection. This is best accounted for, by considering that our present *system* of law, with respect to the *commerce of the sexes*, has, in a great measure, been handed down to us from the *church of Rome*—that the churchmen thereof, in former ages, had the framing and fashioning matters as they pleased—that as all marriage was forbidden them, they took special care to make themselves amends, by keeping those laws out of sight, which, had they been retained, must have sadly interrupted their monstrous debaucheries, as well with regard to *virgins as married women*, “ which were often carried to such lengths as we should scarcely credit (says our author) were we not assured of them by the most authentic records.” Had the law of *Lev. xx. 10.* been retained, the churchmen could not very *safely* have defiled *other men’s wives*—and as they could not take any woman for their own, the laws of *Exod. xxii. 16.* and *Deut. xxii. 28, 29.* could not possibly be obeyed—therefore it was expedient to leave them out of their system. They now, from long disuse, have sunk into oblivion, and perhaps there are thousands of those, who call themselves *Christians*, who do not recollect that there are such laws as these in the *Bible*.

man's wife; and this so far from being reckoned *adultery*, as by God's law it certainly is, is accounted a *virtuous* action; it makes her *an honest* woman, as the *phrase* is; such a marriage (though doubtless *adultery*, in the sight of God, in the man who by *putting her away* caused her to commit it—in the man *who marries her who is so put away*—and in the woman who *marries another man*, living the first who possessed her) is accounted a *cleanser*, as it were, of all former *defilement*, takes out the *spots* from the woman's character, and has been by some ludicrously styled “the *fuller's earth* of reputation.” All this monstrous wickedness is, as to the guilt of it, as much kept out of our sight, by our laws and customs, as the guilt of the divorcing *Jews* was kept out of theirs by the *bill of divorcement*. Well might our Blessed Lord say, *Luke xvi. 15. That which is highly esteemed among men is abomination in the sight of God!* The place which those words stand in, shews them to relate in a particular manner to what He says at the 18th verse, touching the point of *unjust divorce*, they stand in the same context; which plainly reaches from the words—*And He said unto them*, ver. 15. to the end of ver. 18.

As to the consequences of such *taking* and *unjust divorcement*, with respect to far
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the greater number of *seduced females*, who (abandoned to all that *infamy*, *want*, *disease*, and even *death itself* can bring upon them) are—

At once the *prey* and *scorn* of all they meet,
Swarm in each brothel, and infest each street—

as I shall consider their situation, with its effects and consequences, both to themselves and the public, in the conclusion of this work, I will say no more of it here, but proceed to consider the *commerce of the sexes*, as it concerns society in general, and is therefore the object of human laws, more particularly with regard to *marriage* as a *civil contract*.

CHAP. VII.

Of MARRIAGE *considered in a CIVIL VIEW, as the OBJECT of HUMAN LAWS.*—EXAMINATION *of the PRINCIPLES and TENDENCY of the MARRIAGE-ACT.*

HAVING before considered *marriage* as a *divine institution*, as ordained of GOD, and by Him defined in what it shall consist (see before vol. i. p. 18—20.) I cannot help once more observing, that, in this view of it, no human power has the least authority * to interfere, so as to make that *null* and *void* which GOD hath made *valid* and *binding*; or to say that those are not
one

* Some have properly distinguished marriage as *two-fold*, consisting in a *two-fold bond*, called *vinculum internum*—an internal bond, and *vinculum externum*—an outward, or external bond. The first of these arises from the *union* of the *male and female* in *body*, and is rendered *indissoluble* by the command *they shall be one flesh*. Compare Gen. ii. 24. with x. vi. 16. This cannot be dissolved during the *life* of the parties, but by an act of *adultery* in the *woman*, which totally vacates it, and releases the man from all obligation whatsoever. The *vinculum externum*, or *outward bond*, arises from the recognition of the other by some outward rite or ceremony in

degrees, and other wise purposes, which are to be answered thereby, still not interfering with the *thing itself* as between God and the *parties*, but leaving this as it stands in the *Bible*.

This distinction has not been attended to as it ought, therefore the laws of this country, like the laws of most others, have intrenched on the *divine law*, making crimes, and ordaining punishments, which are not only unwarranted by it, but are directly opposite to it: as a proof of this, we need only turn to the *Statute Book*, and read 31 Hen. VIII. c. 14. which made it “*felony* for a man in *holy orders* to marry, “ both in him, and in the woman.” So 1 Jac. I. c. 11. which enacts, that “ if a “ man, being married, shall marry another woman, his first wife being alive, “ he shall be deemed a felon, and suffer “ death as such.”—The first of these two laws was repealed long ago, but the latter is still in force, and, but for the *benefit of clergy*, a man who had *two wives*, would be sent to the gallows with *murderers* and *highwaymen*, though there is no more warrant for this in the word of God, than there was for making a *priest* a *felon* for marrying at all, or for *burning* a man under the writ *de hæretico comburendo*, for being such an *heretic* as to deny that a
piece

piece of *wafer*, after a *priest* had muttered some words over it, is a *human body*. Vulgar errors, while remaining merely in the minds of men, however they may affect the individuals who believe them, may be very *harmless* things with respect to those who are wise enough to search and think for themselves, and therefore differ in judgment; but when they are obtruded upon the consciences of men, armed with the terror of sanguinary laws, even unto death itself, they are formidable to the last degree; and those are to be remembered as some of the best friends to mankind, who have had the *wisdom* first to form their own opinions by the scripture of truth, and then the *courage* to attack, and the *success* (under Providence) to defeat, some of these *monsters*, though doubly guarded and defended by *laws* of *church* and *state*. No opinions, however sacred in the estimation of mankind, can in the least affect the truth of God with respect to the *moral* world, any more than different systems of *philosophy* can affect or change the smallest atom in the visible creation—God's government over *both* is utterly unassailable by mortals, unchangeable by human power or wisdom. The *phenomena* of day and night, depend not on the systems of the

Ptolemaic, Cartesian, or Newtonian philosophy, but on the wisdom and power of him who *created all things, and upholdeth them by the word of His power.* So with respect to *marriage*, which is as much an ordinance of God, as the ordinances of the material heavens are, (Jer. xxxi. 35, 36.) it is, with respect to itself, as uncontrollable by human power, as the rising or setting of the *sun* and *moon*. Errors in philosophy cannot change these—errors in divinity cannot affect the other: therefore that which constituted a *marriage* at the *beginning*, will constitute it to the *end*, though every legislature upon earth were to combine in a law to make it *null* and *void*.

I am now led to speak of a *law*, which I cannot mention, or even think of, but with indignation, I mean 26 Geo. II. c. 33. intitled *An Act to prevent Clandestine Marriages*.—This law seems to me, and I am by no means singular* in my opinion of it, to go farther than any other upon the subject ever went, by striking in the very terms of it at the *Divine institu-*

* I have been credibly informed, that the late Duke of Bedford attempted an abolition of the *Marriage-act*, and that he lost a motion made in the *House of Lords* for that purpose but by one voice. —My informant was present at the time.

tion, so as to render it *null* and *void* to all intents and purposes whatsoever, if certain circumstances invented by the human legislature * are not complied with. As far as this law was meant to prevent clandestine marriages, from which, as the preamble sets forth, " great mischiefs and inconveniences have arisen"—it was within the

* Among the Romans, the *Papian* law declared those marriages illegal which had been prohibited, and yet only subjected them to a penalty; but a *senatus consultum*, made at the instance of the Emperor *M. Antoninus*, declared them *void*; there then no longer subsisted any such thing as a marriage, wife, dowry, or husband. See *Montesquieu*, *Spirit of Laws*, Book xxvi. c. 13. By this it appears, that the *heathenism* of our *Marriage-act* is by no means unprecedented. To this another precedent may be added from the *popish council* of *Trent*, where, after many long arguments pro and con, clandestine marriages were at last decreed to be *null* and *void*. However, this was by no means done unanimously, many dissented, and thought that the church had no authority in the matter, it being a *divine*, not an *human* ordinance, and, according to a saying of *Pope Innocent III.* " not to be dissolved by any power of man." When the day came for giving their voices for the decree (Nov. 11, 1563) Cardinal *Varmiense* would not be present, thinking the church had no authority in the matter, and saying that if he were present, he should be forced to declare, for the satisfaction of his own conscience, that " the synod " had no power to make that decree." Cardinal *Morone* said, that it pleased him, if it pleased the Pope. *Simonetta* said, it did not please him, but referred

the jurisdiction of the legislature to enact it; that is to say, so far as the matter related to *marriage* in the light of a *civil contract*; but when it makes the marriage *null and void* to all *intents and purposes whatsoever*, so as to release the parties from the *bond of marriage*, with respect to each other in the sight of GOD (for nothing less can be understood by those words) it *puts asunder* those *whom GOD hath joined together*, and amounts to a *repeal* of the law and ordinance of THE MOST HIGH; for, by this act, parties who are actually married in the sight of GOD, and in their *own consciences*, are set *free* from each other—the man may abandon his *wife*, the *wife* leave her *husband*, and marry *another man*. *Let not the husband put away his wife*, 1 Cor. vii. 11. and *Let not the wife depart from her husband, but and if she depart, let her remain unmarried*, ver. 10. 11. have now no place, where the institution of GOD is *only* concerned; for it is not the ordinance of GOD, but complying with

ferred himself to the *Pope*. Of the others, fifty-six did absolutely deny, and all the rest did approve it. See *Brent. Hist. of Coun. of Trent*, fol. 671, 783. However, they declared clandestine marriages to have been true and lawful, so long as the *church* did not disallow them, and *anathematized* him who did not hold them for such. Ib. 784.—What trifling with GOD's law and men's consciences!

the

the *terms* of an *act of parliament*, which makes a *marriage*, and which said terms are not one * of them found in the *Bible* as constituting *marriage* in the *sight* of

* It must be allowed that Sect. 10. which concerns the marriage of *infants under age*, without *consent of parents and guardians*, has some authority from the scriptures, but it goes too far;—the scriptures give a power to the *father* of a *woman*, being in her *father's house in her youth*, to vacate any *vow* she made without her father's *knowledge or consent* (Numb. xxx. 4, 5.) and of course any *betrothment or espousal* which she had entered into, *per verba de futuro*, or *de præsenti*, but could not vacate an *actual marriage*, the *act* which constituted this, was *irrevocably gone and past*. See before vol. i. p. 25. It is to be observed, that the power *over vows* was confined to *fathers only*, and this only in the case of *daughters*—or to *husbands* in the case of *wives*, which last superseded all authority which could be derived elsewhere. See Numb. xxx. 6, 7. Gen. iii. 16. latter part, Gen. ii. 24. Pope Paul IV. made a constitution, ann. 1557, that marriages made by sons before the age of thirty, and of *daughters* before the age of twenty-five, without consent of father, or of him in whose power they were, should be void. Brent. *Hist. Council. Trent*, 407. The same Pope sent a *monitorie* to Dame Joan of Arragon, wife of Ascanius Columna, that she should not marry any of her daughters *without his leave*, or if she did, the matrimony, though *consummated*, should be void. Ib. 749. Our law seems to quadrate exactly with this *papal monitorie*, in assuming a power to *vacate* marriages, which are not made by *leave of the parliament*, even though *consummated*. Pope Paul's *monitorie* was a bold encroachment on the divine prerogative, but that of the *British parliament* was much more so;—the first respected the individuals of a single family—the latter those of a whole nation.

GOD. If after the words "such marriage shall be null and void," there had been added, "as touching and concerning such or such civil rights, privileges, or immunities, given to married persons by any law, statute, or custom of this realm," this might have fallen within the line of *human* jurisdiction; but to affect the *divine institution itself*, so as to make that *null and void* which God hath ratified by saying—*they shall be one flesh*, is a sacrilegious attempt to repeal the law of Heaven, just as much so as interfering with any *other* ordinance of God, as to its *validity*, unless administered according to *act of parliament*.

The *Popes* of Rome have made very free with the laws of God, even to the striking the *second* commandment out of the *Decalogue*, because it bore a little too hard on the *idolatry* of the *church* of Rome; but instead of *one*, we have struck out *many* of God's commandments—*viz.* Gen. ii. 24. Exod. xxii. 16. Deut. xxii. 28, 29. because *clandestine marriages* bore hard upon the pride and ambition of the *nobility and gentry*.—But to return to the main point—

To illustrate what has been said on the subject of intermeddling with God's ordinances, let us suppose a case—*Bap-*
tism

tism is a *divine ordinance*, ordained, both as to the *sign* and *thing signified*, by CHRIST according to the *prophecies* of the Old Testament. The words by which this ordinance was set forth, are to be found Matt. xxviii. 29. *Go ye therefore, and teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost.* This is the *whole ordinance of baptism*, and our *church* rightly declares—Can. xxx.—that “when the *minister*, dipping the infant in “water, or laying water upon the face of “it, hath pronounced these words—*I baptize thee in the name, &c.* the infant “is fully and perfectly baptized, so as the “*sign of the cross* being afterwards used, “doth nothing add to the perfection and “virtue of *baptism*; nor, being omitted, “doth detract * any thing from the effect and substance of it.”—Now let us suppose that *ministers* should scruple to use the *sign of the cross* in *baptism*, that this should grow so general, as almost to amount to an abolition of the ceremony; this being complained of to the *higher powers*,

* Why is this?—Because the *ordinance of baptism* is simply *that* which God hath made it. For the same reason, marriage is simply *that* which God hath made it. Therefore no additions of man’s invention, or the want of them, can affect the *marriage union* (any more than the *baptism*) in God’s sight.

they enact a law for the restoration of it, in which is the following clause—" And
 " be it further enacted by the authority
 " aforesaid, that no persons who shall be
 " baptized, not having the *sign of the*
 " *cross* made upon their foreheads, shall
 " be deemed or reckoned members of the
 " *Christian* church, but such *baptism* shall
 " be null and void to all intents and purpo-
 " ses whatsoever." Can any person, who
 has a true regard for the word and ordi-
 nances of God, maintain that such a
 law could in the least affect the state and
 condition of a person so baptized, before
 God, or that he would be, in the divine
 account, less a *member* of the *christian*
church because of such a law? Would it
 not be a sacrilegious attempt to alter
 God's own ordinance, and to make it
 subject to the law and will of man, and as
 such to be despised and abhorred by all the
 faithful?—Where then is the difference?
 —God is as express and determinate as to
 the *one* marriage ordinance, as to the *one*
 ordinance of *baptism*: therefore by no rule
 of sound reason can it be proved, that
both are not equally out of the reach of
human authority, so as that *man* can
 neither *add* to nor *diminish* from either, in
 the sight of God.

That human authority may order an
 outward

outward *marriage ceremony*, or a public *baptism*, to be used or administered at such a given time or place, I do not dispute; nor do I doubt but those may be punished who transgress such order—but that such things can affect the validity of a *divine institution*, with respect to *itself*, must surely be denied by all who will allow God to have a sole exclusive jurisdiction and authority over His own appointed ordinances. When therefore God says that if a man lies with a *virgin not betrothed*, *she shall be his wife*, BECAUSE HE HATH HUMBLLED HER, *he may not put her away all his days*, which is but an explanatory way of saying—*they shall be one flesh*—an human law which adds—“ provided such
 “ and such conditions be observed, as
 “ *banns* or *licence*, otherwise such marriage shall be null and void, to all intents
 “ and purposes whatsoever (which is but
 “ an explanatory way of saying they shall
 “ not be one flesh”) is as palpable a denial of God’s *institution*, as to its *validity*, as can well be conceived; as also an absolute contempt of the words of CHRIST, in the conclusion which he draws from the *divine* declaration—*What God hath joined together let not man put asunder*. It would be a most absurd attempt, and what all the world besides would laugh
 at

... if the *parliament* of Great Britain were to pass an act to alter the laws of *France* and *Spain*; but it is more absurd, and what we ought to grieve at, because it is wicked, when men enact laws which in their aim and tendency would alter or repeal the fixed, established, and immutable laws of heaven.

The solemnity of that sort of engagement which the scriptures call *betrothing*, inasmuch that it was *death* to defile a *betrothed virgin*, was held in great veneration in the church of *Israel*; so was it amongst us antecedently to what is called the *Marriage-act*, 26 Geo. II.—our *ecclesiastical courts* * would have compelled the

* When I mention *ecclesiastical courts*, I would not be understood to mean that even their *being* and *establishment* is of any *divine right*, much less their *jurisdiction* and *proceedings*; they certainly were the inventions of the *Popes* of *Rome*, as instruments and executioners of their oppression and tyranny over the persons, properties, consciences, and lives of mankind; their jurisdiction in matrimonial affairs was finally settled by the *council of Trent*, which decreed, that "If any say, that matrimonial causes do not belong to ecclesiastical judges, let him be accursed." —See *Brent. Hist. of Council of Trent*. 784. This horrible and antichristian decree (for no trace of such a thing is to be found in the scripture) bears date ann. 1563, about three hundred years after *Pope Innocent III.* had thrown the ordinance of *marriage* as a sacrament into the hands of the priest.

solemnization of a marriage so contracted by *verba de futuro* or *verba de præsenti* (but more especially where it became a marriage *de facto* by carnal knowledge) in *facie ecclesiæ*: but all this is now set aside, and the most solemn contract that can be entered into between the parties, signifies just nothing at all; they may forsake each other just as they please, for it is enacted, that, “in no case whatsoever, shall any suit or proceeding be had in any ecclesiastical court in order to compel a celebration of any marriage in *facie ecclesiæ*, by reason of any contract of matrimony whatsoever, whether *per verba de præsenti*, or *verba de futuro*, any law or usage to the contrary notwithstanding.” Here, we may say, is a *coup de grace* given to the small remains of *femal security* which had been preserved * in our laws; for now, let the contract be *what it*

* Promises of marriage to a woman, have, in all well-regulated states, been considered as *sacred*, and the breach of them punished by a variety of methods. The *Prussian* laws do not endeavour so much to punish the breach of promise, as to enforce the performance of it—which they do by religious admonitions, by imprisonment, by a fine of half the man’s fortune, or a certain part of his daily labour, or, if he runs away to avoid the marriage, by marrying the woman to him by proxy, and allowing her a maintenance out of his effects. — See *Alexander’s Hist. Wom.* vol. ii. p. 268.

may, the injury arising from the breach of it ever so great, the consequences to the *enticed virgin* ever so horrible, it is out of her power even to aim at that justice which the law of God so positively commands to be done. This *act* of *parliament*, taken all together, amounts to a repeal and utter abolition of the law of God, almost in every point where marriage is concerned. First—as to *betrothment*, which I take to answer, in some measure at least, to what we call a contract *per verba de futuro*, as where the man says—“ I *will* take you to be my wife,” and the woman says—“ I *will* take you to be my husband.” This was held so sacred by the ordinance of God, and persons *thus contracted*, were in God’s account so bound to each other, that a *defilement* of the *betrothed woman* was reckoned the *defilement* of a *man’s wife*. Deut. xxii. 23, 24. Nor could such a woman contract marriage with any other man—Exod. xxii, 16. Deut. xxii. 28.—of course the man who had *betrothed* the woman was bound, and therefore compellable by the law, to carry *such a contract* into execution. On this principle our *ecclesiastical* courts proceeded, till the *parliament* tied up their hands, and took the business of *marriage* into their own,

any law (either of God or man) or usage to the contrary notwithstanding.

Espousal—I take to answer, in some degree, to our contract *per verba de præfenti*, as when the man says to the woman—"I do take thee to be my wife;" and the woman says—"I do take thee to be my husband."—If the *betrothment* by words in the *future tense* amounted in God's sight to so solemn and binding a contract, a contract arising from words in the *present tense*, must, if possible, be *more so*; for this is the other contract so far *executed*—therefore, *a fortiori*, the *ecclesiastical* courts would compel the parties to a public recognition of this contract in the *face of the church*; but this is also set aside, and made null and void to all intents and purposes whatsoever.

But farther—*marriage* itself, which, according to the *Bible*, is the consummation of the whole by *carnal knowledge*, which makes the parties in the sight of God, and by His positive command, *one flesh*, even this signifies no more than the others—our *ecclesiastical* courts heretofore called this by its right name, a *marriage de facto*—or *in fact*—and so they well might; for it is the only ordinance of *marriage* which God ever revealed:—where this happened, *divorce* or *putting away* was forbidden—*A man shall*

*for sake father and mother, and cleave to his wife, and they shall be one flesh—What therefore God hath joined together, let not man put asunder. But we may say of all these bonds, as was said of the seven green withs wherewith Samson was bound—Judges. xvi. 8, 9.—that as a thread of tow is broken, when it toucheth the fire, so were * they broken.*

* A flagrant instance of this appeared in the year 1772; when “a cause of great consequence was determined in *Doctors Commons*, and a marriage that had been solemnized in the church, by licence, and consummated, was declared null and void, in conformity to a clause in the marriage-act. It appeared that the husband had obtained the licence, by swearing that the person, for whom the licence was required, was of age, when she was not.” See Gent. Mag. for 1772, p. 149. The writer of which observes—that “to bastardize the issue of such marriages, seems to have something in it repugnant to the sacred institution.” This is a mild way of censuring so monstrous, so wicked, so diabolical a sentence, which can hardly be outdone by the church of Rome itself. The judge who pronounced it could not do otherwise, being bound in his decision by the clause in the marriage-act—but what a law must that be, which tends to divorce, a *vinculo matrimonii*, those, who by the law of heaven are indissolubly joined together as one flesh!

Let any man produce, if he can, a more palpable treading under foot, a more daring annihilation of the positive commands of GOD—a more evident defiance hurled at the DIVINE LAWGIVER HIMSELF! Yet this law, this very law, under which an infinity of such sentences of divorce may be pronounced, still is suffered to subsist, and hold its empire over the DIVINE AUTHORITY!

IF

If these matters above mentioned were overlooked, or not sufficiently considered, at the time of the passing of *the act*, it is highly proper that they should now be considered, and the act repealed, at least be * materially altered from its present state of direct opposition to the *word and will* of God.

How the law stood before the passing this *act of parliament*, may be gathered from the following short case, 2 Salk. 438, and cited by *Dr. Burn*, Eccl. Law, Tit. *Marriage*, p. 30. *Wigmore's case*. Holt, Ch. J. said—"By the *canon law*, a contract *per* "
verba de præsenti is a marriage—so is a "
 contract *per verba de futuro*, if the con- "
 tract be executed, and he *take* her; this "
 is a marriage, and they *cannot punish* for "
fornication, but only for not solemniz-

* *Dr. Alexander*, after observing the pains which were taken to promote marriage among the *Romans*, says—"It has generally been thought sufficient to stain, with some degree of infamy and dishonour, all kinds of illicit connection between the sexes, to make the way to the enjoyment of lawful love as easy and accessible as possible, and to trust the rest to nature. In this last respect the *English legislature* seems of late to have acted contrary to the common maxim, and thrown a variety of obstacles in the way of matrimony; but should the decrease of people be the consequence, that body, it is presumable, are too wise to persist in a voluntary error." Vol. ii. p. 245—246.

“ ing the marriage according to the forms
 “ prescribed by law, but NOT SO AS TO
 “ DECLARE THE MARRIAGE VOID.”

We have several statutes against *clandestine* marriages ; as 6 and 7 Will. III. c. 6 ; 7 and 8 Will. III. c. 35 ; 10 Ann, c. 19 ; also *ecclesiastical* laws, as Can. 62, 63 ; but no law till 26 Geo. II. ever presumed to *vacate* the contract between the parties, or to declare the marriage *null and void to all intents and purposes whatsoever*, even though the *ceremony* itself was not red, as in *Wigmore's* case ; where, though the husband had a *licence* from the *bishop* to marry, yet *Wigmore*, being an *Anabaptist*, married the woman according to the *forms* of his *own religion*.

I cannot think of the *marriage-act*, as it is called—though it may more properly be styled the *anti-marriage act*—without recollecting *Horace's*

Nil mortalibus arduum est
 Cælum ipsum petimus stultitiâ.

*No work too high for man's audacious pride,
 Our folly would attempt the skies.*

To the case above mentioned, I will add a transcript from *Dr. Burn*, Eccl. Law, tit. *Marriage*, p. 17. that the *reader* may be still farther convinced of our departure from that reverence towards the *divine law*, which our *ecclesiastical* courts once
 had

had it in their power to shew—" Heretofore, if any having contracted matrimony *de presenti*, and being convented before the *ecclesiastical* judge, did refuse to execute the sentence given by him to celebrate the matrimony accordingly; after lawful admonition given in that behalf, he or she so refusing might for their contumacy therein be excommunicated, and be imprisoned on a writ *de excommunicato capiendo*, until he or she did submit to obey the monition of the ordinary in that behalf.

" But as for persons who had contracted spousals *de futuro*, if either of them did refuse to perform their promise, the judge was not to proceed to the *significavit* into chancery for an *excommunicato capiendo*, but rather to absolve that *curst* party which contemned the censures of the church, albeit there be no cause of favour, but for fear of further mischief, by * compelling them to go together which did hate one another: yet was not this forward party to be thus dismissed, but was to suffer penance for the breach of his promise: nor was he or she to be dismissed or absolved, if those spousals

* This was something like *Moses's* sufferance of divorce among the *Jews*, for the *hardness of their hearts*.

“ *de futuro*, by reason of *carnal knowledge*,
 “ or some *other act* equivalent, DID BE-
 “ COME MATRIMONY; for in that case,
 “ as in the former, where spousals were
 “ contracted *de præsenti*, the disobedient
 “ party was to be *excommunicated*, *appre-*
 “ *bended*, and *imprisoned*, and not to be *ab-*
 “ *solved* or *released* before satisfaction, or
 “ death, or other *just* cause of divorce.

“ But now, by 26 Geo. II. c. 33. no
 “ suit or proceeding shall be had in any
 “ *ecclesiastical court*, in order to compel a
 “ celebration of *any marriage in facie ec-*
 “ *clesiæ*, whether *per verba de præsenti*, or
 “ *per verba de futuro*, which shall be en-
 “ tered into after *March 25, 1754.*”

Such *was* the law—such *is* the law—
now as contrary to the law of God, as it
 was once conformable to it; for as far as
 the *ecclesiastical courts* went, they acted con-
 formably to the *divine law*; but they did
 not proceed, unless there appeared some
 contract *per verba de futuro*, or *per verba*
de præsenti; whereas God’s law, more
 extensively calculated to preserve the *fe-*
male sex from seduction and ruin, deter-
 mined the *carnal knowledge* of a *virgin*, in
 all cases, to “ amount to matrimony,” where
 she was *not betrothed* to another, and com-
 pelled the public recognition of it, by the
 only means whereby, in those days, such
 recognition seems to have been made, that

is to say, by the payment of the *מָהָר* or *dowry* into the hands of the father, (see *Exod.* xxii. 17. *Deut.* xxii. 29.) most probably in the presence of *witnesses*; which seems to have been the case in all public transactions among the *Jews*. See *Ruth* iv. 9, 10, 11. *Is.* viii. 2. *Jer.* xxxii. 10, 12, 25, 44.

So that though *betrothing* or *espousals* might, and in most cases, as among us, did, go before *marriage*, and create a solemn contract between the parties; yet where this was not the case, the man's taking possession of the *woman's person*, though he had never seen her before that instant, created the indissoluble bond of *marriage* between them in the sight of *God*; as appears, *Deut.* xxii. 28, 29. The reason there given is, because *HE HAD HUMBL'D HER*. Whereas we mistake the *betrothment* or *espousals* for the *marriage* itself, and suppose, that where *these* are not, there *marriage* is not: but the contrary appears in the passage of *Deuteronomy* above cited. In the very nature of things it must be so, otherwise a *lesser* contract by *words* is of higher validity than a *greater* by *deed*; and the *promise* of the *woman's person* more binding than the *actual possession* of it; which, tho' a *solecism*, chargeable on human systems relating to *marriage*, cannot be chargeable on those which are the contrivances of *infinite wisdom*. The

more we examine the former, the more shall we discover of the leaven of the *Pharisees*, who made the word of God of none effect through their traditions.—The more we examine the law of God, the more shall we be apprized of its harmony and consistency with itself, as well as with the peace, good order, and welfare of human society; more especially with regard to its care and watchfulness over those who stand most in need of its protection, the *weaker sex*, which, as matters are now ordered, seem of less value than the *beasts of the field*.—If a man goes into his neighbour's field, and wilfully *maims* or *wounds* his cattle, it is *felony* without benefit of clergy; but to *seduce*, and *debauch* his daughter, and then to look upon himself as free from all *legal* obligation to marry her, is the grand privilege which he finds annexed to our repeal of the laws of Heaven. As for the sufferer, if she be poor, so that her maintenance depends upon her character, this being gone, she must starve for want of employment, or plunge herself into the depths of prostitution to get food and raiment.

With regard to the business of *clandestine marriages*, how far they are or are not “mischievous or inconvenient to the *kingdom*,” may admit of much doubt; much may be said on both sides of the question; but I cannot help thinking with the learned
Judge

Judge *Blackstone*, who thus expresses himself on the subject, vol. i. 438. *Quar. Edit.*—
 “ Restraints upon marriages, especially
 “ amongst the lower class, are evidently
 “ detrimental to the public, by hindering
 “ the increase of people; and to *religion* and *morality*, by encouraging *licentiousness* and *debauchery* among the single
 “ * of both sexes, and thereby destroying
 “ one end of society and government,
 “ which is—*concubitu prohibere vago*.”—
 It is beside my purpose to enter deeply into the consideration of this law in a temporal view; but it hardly can be supposed

* I am afraid, that what this learned and excellent writer here observes, is not to be confined to *licentiousness* and *debauchery* among *single persons* only; for the *marriage-act*, by throwing the inclinations of children and wards, as well as their persons, under the absolute power of parents and guardians till the age of *twenty-one*, has, in many instances, proved fatal to their future peace. I cannot express my meaning better, than in the words of the ingenious *Marquis of Beccaria*, in his *Essay on Crimes and Punishments*, c. 31. “CONJUGAL FIDELITY,” saith he, “is always greater, in proportion as marriages are more numerous and less difficult. But when the interest or pride of families, or paternal authority, not the inclination of the parties, unite the sexes, *galantry* soon breaks the slender ties, in spite of common *moralists*, who exclaim against the effect, while they pardon the cause.”

I much doubt, whether every session of parliament, for some years past, has not afforded melancholy proofs of the truth with which the noble *Mislanese* made the above observation.

to increase *marriage*, unless in the *parish-registers*, by many persons marrying in the parish churches and chapels, because they cannot marry elsewhere. Doubtless numbers there are who would have married elsewhere, but now never marry at all, because their peculiar circumstances or situations may be such, as to prevent their compliance with the *terms* of the *act*; many of which are most probably hurried by their passions into something worse than a *clandestine marriage*.

That ingenious foreigner *Mr. de Lolme*, in his *Examen Philosophique des loix relatives aux Marriage*, ch. 4. and 5. proves, that "every obstacle to marriage is a vice in government, and an injury to the rights of citizens." Under this head he shews, that the "English act of parliament of 1753, is contrary to the law of nature," and explains the reasons of that truly *Patrician* act.

The passing such a law as this, in a maritime and commercial *island*, whose *external* strength, by which it can annoy its numerous enemies, and whose *internal* strength, by which it is to defend itself against their invasions, must depend on the numbers of its people, is surely a capital *splecism* in our political system. The wiser *Heathens* took every measure they could, to discourage celibacy, to promote marriage,

marriage, and, of course, to increase the numbers of their people. *Plato* lays it down, that in a well-ordered republic, the first consideration should be to make laws for the promotion of marriage, that every one should marry, not merely to please himself, but as a benefit to the public; therefore he would have every unmarried man punished annually by a fine of so many *drachmæ*, and some mark of infamy, who lived to thirty years of age without marrying. De LL. lib. vi. *Lycurgus*, the *Spartan* lawgiver, would not admit unmarried men to the public games, spectacles, and feasts. Plut. in *Lycurg.* and an action was given against those who did not marry at all, or too late to have children. Among the *Romans*, they were liable to a mark of ignominy or disgrace set on them by the *Censors*. Val. Max. lib. ii. c. 9. *Augustus* rejected the testament of a man who died under a state of celibacy. Ib. lib. vii. c. 7. On the other hand, married men (especially those who had children) had many privileges—they were exempted from being sent on embassies, and had the first voice in all public decrees or sentences. In any canvassing or making interest for magistracy, or any other office, the number of children which a man had, was considered as a very prevalent recommendation. Appian. lib. ii. de Bell.

Bell. Civ. In all the public theatres, they were seated in an honourable place. *Suet. Augustus* was for their receiving presents every year. They were exempt among the *Spartans* from keeping watch, if they had *three children*; if *five*, from all public offices whatsoever. *Herod.* l. iii. The like privileges were among the *Romans*, with respect to the *tutelæ* and *curatelæ*—wardships and guardianships—from the burden of which a man was exempted at *Rome*, if he had *three children*—in any other part of *Italy*, if he had *four*—and in all the provinces, if he had *five*. *Instit.* lib. i. tit. 25. *Athenæus* speaks of a festival, at which the women laid hold of all the *old batchelors* they could find, and dragged them round an altar, beating them with their fists.

Many more instances might be mentioned, to shew what all wise states have thought on the subject of marriage; that it was the means of enriching them with people, and therefore all encouragement was given to it: whereas we have, by *act of parliament*, narrowed, in many instances, its bounds within the circle of family pride, and personal avarice; and in order to this, have laid difficulties in its way which are *insuperable* to thousands, who might otherwise have contributed
their

their portion of increase to the public riches.

I have elsewhere mentioned the late *Duke of Bedford's* motion for a repeal of the marriage-act—*His Grace* spake near *three* hours upon the subject, and, in the course of his speech, expatiated much on the preference which is given to private inclination, humour, pride, and caprice, beyond public utility—"The *riches* of this, "as of every country," said he, "are the "people.—The grand object, which we "are to consider, is this—the law in "question, by being restrictive of marriage, must in course be restrictive of "population.—What is the consideration "of this or that individual, where the "welfare of the public, which is chiefly "promoted by the increase of the people, "is at stake? I have a daughter" (meaning the present amiable *Duchess of Marlborough*) "who is deservedly my delight; "any misfortune which could happen to "her by an imprudent or unsuitable marriage, would be a most sensible affliction to me; but," said the noble patriot, "what is this to the public? What "is it to the public whom she may marry "—or whom any body's daughter or son "may marry? Population is the grand "point to be considered with respect to "the public; therefore an Act, which
" makes

“ makes public utility subservient to the
 “ mere consideration of preventing here
 “ and there a private inconvenience, is an
 “ impolitic, an injurious, a mischievous
 “ law ; it ought never to have been made,
 “ it ought now to be repealed.”

This is pretty near the substance of what was reported to me to have been the conclusion of *his Grace's* speech on the occasion. However, his motion was lost by *one* single voice. He said, that “ he should
 “ make it again the next year”—but, before that time, he went out of administration, and he dropped his intention, as perhaps having little hope of succeeding as a private *Lord* in opposition, after having failed while in public office.

Whatever may be the supposed ill consequences of *clandestine marriages*, however
 “ mischievous or inconvenient to the king-
 “ dom” they may, in some instances, have been found, yet no mischief or inconvenience could possibly arise from them, which might not have been obviated without intrenching on God's prerogative, without attacking the validity of His holy ordinances. The sixty-second *canon* prohibits “ ministers from solemnizing ma-
 “ trimony without *licence* or *banns*, or at
 “ any other times than between eight and
 “ twelve in the forenoon”—the breach of this *canon* is attended with the “ suspension
 “ of

“ of the offending minister for three years “ *ipso facto*,” but it does not offer to affect the *validity* of the contract between the parties. The 6th and 7th of W. III. c. 8. ordains a penalty on the minister for marrying without licence or banns, of one hundred pounds, and for the second offence to be suspended, *ab officio et beneficio*, for *three years*. By the 7th and 8th of W. III. c. 35. the penalty of one hundred pounds is extended to every offence of the minister, likewise ten pounds is laid on every man who is married without *banns* or *licence*. The 10th of Anne, c. 19. has a clause to prevent *clandestine marriages*, and lays one hundred pounds on the minister—and if such marriage be *solemnized in any gaol*, by any minister who is a prisoner there, one hundred pounds upon him, and one hundred pounds upon the gaoler suffering the marriage to be solemnized in the prison without *banns* or *licence*.—These were revenue acts, and only attacked *clandestine marriages* with a view to the duties payable on licences; but still they keep clear of calling in question the *validity* of the *marriage*, wheresoever or howsoever solemnized. This was reserved for the 26th of Geo. II. c. 33. which, as has been observed, is levelled at the validity of the *ordinance itself*, if not administered as therein required. To prevent *clandestine marriages* by punishing the minister,

nister, either by pecuniary or even corporal punishment, or to lay a fine on the parties so married, would not have exceeded the authority of the legislature, any more than by interfering in any other matter of outward order and decency; but when they declare—*such marriage null and void, to all intents and purposes whatsoever*, so as utterly to dissolve the contract between the parties, they interfere with God's own immediate ordinance, which mortals have no right to do. Human legislators may have power over *ecclesiastical* persons, to provide that they discharge their office, but have no power themselves to interfere in holy things. When King *Hezekiah* began the reformation of the *Jewish* church, and brought in the *priests* and *Levites*, and gathered them together, and gave them order to execute their office, he did lawfully and rightly. But when King *Uzziah* himself attempted to burn incense before the LORD, thus interfering with the appointed ordinance of God, which made it only *lawful for the priests the sons of Aaron* to burn incense, he did wrong, he exceeded his own authority, and usurped the authority of God, and God struck him with leprosy to the day of his death. Comp. 2 Chr. xxix. 4, 5. with 2 Chr. xxvi. 16, &c.

∴ If the parliament were to lay a duty
the register of every baptism, and,
in

in order to secure it, were to lay a *penalty* on every *minister* registering a baptism on *unstamped* parchment, they would have authority so to do; but if they went on, and said, that “*all baptism so registered*” should be *null and void* to all intents and “*purposes whatsoever, so that children so*” registered should be no members of the “*Christian church,*” such a law would be as absurd and shocking as the *marriage-act* is, but not at all a greater insult upon the *divine ordinance* of *baptism*, than this is upon the divine ordinance of *marriage*.

So with regard to the LORD's *supper*, if an act was made that for greater *decency* and *order* in the administration thereof, the minister should give notice on the *Sunday* before, upon a penalty of £. 5 for every omission; no doubt the parliament might make such a law; but if the act went on and said, that “*where any per-*” sons shall receive the *sacrament* from the “*hands of any minister who hath neglected*” to give such notice aforesaid, such re- “*ceiving shall be null and void to all in-*” tents and *purposes whatsoever*, and no “*benefit accrue to the receivers thereby*”—how would such a law as this be distinguishable, in point of folly and impiety, from the *act* which we have been considering? No distinction in these respects can be fairly made, till it can be proved, that the sacrament of the LORD's *supper* is an
F 2
appointed

appointed ordinance of God, but that the ordinance of marriage is not. In the mean time, I must profess my faith to be, that the parliament of Great Britain had no more a right to pass the marriage-act, in its present form, than it had to pass an act to * repeal the ten commandments.

I don't mean, by any thing I have said, to put ministers, in the business of solemnizing marriages, on the same footing with priests under the law of Moses, with regard to the ceremonial ordinances; these last were ordained and appointed of God to those services, which shadowed forth good things to come; but it does not appear, that either the priests under the Old Testament,

* We can hardly read over the impious decree of Darius the king of Persia, which is recorded Dan. vi. 7. without shuddering.—To make a statute, that—“whosoever shall ask a petition of any God or man, for thirty days, save of the king, he shall be cast into the den of lions”—was an attack on the crown and dignity of the Divine Majesty, horrible to conceive.—But by what logic can it be proved, that the Medo-Persian monarch had not as much right to do this, as a British legislature to invent impediments to marriage, which are unknown to the scriptures; to make that null and void, which God's law ratifies and confirms; and thus to put those asunder, whom the express command of the MOST HIGH indissolubly joins together? However ignorance may be pleaded in excuse of the poor idolatrous Heathen—this but aggravates our guilt; for we have the oracles of GOD committed to us, and to be ignorant of their contents, is of itself a GREAT crime—disregarding them still a GREATER—acting in opposition to them GREATEST of all!

OR

or the *apostles* or other *ministers* under the New Testament, were ever employed in *marrying* people (as it is called) or had any thing to do in the matter. *Marriage* was appointed, and its essentials settled, before there was a *priest*, or *church*, or *cere-
mony* so much as mentioned, wherefore nothing of this kind can be wanting to its completeness and perfection in the sight of God. The *interference* of *priests*, and the appointment of a set form of words to be read over the parties by that *priest*, are purely of human, and comparatively (as I shall shew in the sequel) of modern invention, therefore can have no more effect upon the *divine ordinance* itself, as between God and the parties, than the other human inventions of services for the *burial* of the dead, and the *admin-
istration* of the *sacraments*, can have upon the *state* of the dead, or on the *validity* of the *sacraments*, to those who receive them : if it were otherwise, the efficacy of God's ordinances no longer depend on *His ap-
pointment*, but on the *will* of man. A *papist* may be brought to believe that the *validity* of the *sacrament* depends on the *intention* of the *priest* ; but to believe this, is not a greater error, than to believe that any ordinance of God whatsoever depends on any thing else, as to its *validity* and *efficacy*, but the mind and will of God as revealed in His word:—If he has said

they shall be one flesh—it is not for man to say *they shall not*—if He has thus *joined them together*, it is not for man to *put them asunder*.

Now, to apply what has been said to the subject of this chapter, it will be necessary for us to keep the ideas of marriage, as it is a *divine ordinance* with respect to God, and as it is a *civil contract* with respect to the public, distinct in our minds. It is the *first* only which constitutes the indissoluble union in God's sight, but it is the *second* which recognizes and ratifies that union in the sight of the world; and this is a sort of security which (as so much depends upon it with respect to *society*) the world has a right to require, consequently to exact, and those who wilfully refuse to give it, deserve to lose every privilege and benefit which are annexed to it. Were the consciences of men what they ought to be, the fear and love of God would reign within them, and a strict observance of His commandments be the measure and rule of all their dealings towards God and each other. But in this corrupt state of things this is not the case, therefore human laws are necessary to enforce the *divine law*, in no instance, perhaps, *more* necessary than in the case before us. If no contract of a public nature was insisted upon, but all left to the private agreements and determinations

minations between the parties, men might take women, and women men, and keep or put one another away as humour or fancy suited;—the woman who was the wife of A. to day, might become the wife of B. to-morrow; in short, it is impossible to *conceive*, much more so to *express*, the confusion which must ensue on such a plan. Therefore, when human laws are made to exact a public contract between the parties in the face of the world, which contract cannot be broken nor dissolved but for the *one cause* which God's word allows, such laws are in affirmance of the law of God, and therefore are righteous laws; and, as such, ought to be obeyed; nor have any persons a right to that respect, and to those privileges which are due to *married* persons, who despise such an ordinance * of man as creates a civil contract

* The words of St. Peter are *πρόν ἀνθρώπων κτίσις*—the word *κτίσις* is here applied to *magistrates* (as appears from the context) whose offices are *created* by men.—So the Romans say—*creare consulem*—to create a consul;—*creare regem*—to create a king: but though the offices of particular magistrates are of human creation, and are different in various countries, yet there is no power but of God, the powers that are, are ordained of God. Rom. xiii. 1. Therefore St. Peter commands obedience to magistrates for the LORD's sake. Also the particular mode or form of government may be *ἀνθρωπίνης κτίσεως*—of human creation, yet government itself is of *divine authority*.—See Gen. iv. 7. See on the word *κτίσις*, Leigh. Crit. Sa-

and therefore, though both subject to human controul, yet neither being of *divine appointment*, can have any effect on that which is, so as to *add* to it, or *diminish* from it in the sight of God. As I shall have something very particular to observe on this subject under the head of *superstition*, I shall say no more upon it in this place, than that all attempts to alter, change, or *make void* a *divine institution*, as to its force, power, and efficacy, with respect to *itself*, before God, are so far from being binding on the consciences of men, that they ought to be abhorred. The only matter in which the 26 Geo. II. c. 33. seems to be deficient, is, that it does not more plainly express its meaning and tendency, and after the words—"such marriage shall be *null and void* to all intents and purposes whatsoever," it does not add—"any thing in the scripture to the contrary notwithstanding"—it *all but* says this in the clause about *precontracts*, and it must *quite mean* this, for the act to have its full force and effect.

Still the *divine law* is one and the same, still therefore ought it to *commend itself* to every man's conscience in the sight of God. 2 Cor. iv. 2. and this upon its *own* authority.—If, therefore, human laws have put *marriage*, as to itself, on a different footing than it stands upon in God's word; if impediments to *marriage* have been raised

raised up by human contrivance, which are not * to be found in that word; in these, and the like instances, human legislature exceeds its authority.

When a man having *one wife* takes *another* to her, the *ecclesiastical* courts pronounce such second marriage *null and void*—our courts of *criminal judicature* pronounce him a *felon*—but if God's word be the *criterion* of right and wrong, our laws have no more authority to say that a man shall not have *two wives*, than the *popish* laws have to say that a *priest* shall not have *one*, neither have our *ecclesiastical* courts any more authority to *divorce* such *second* woman from the man who has *married* her, than the *Pharisees* had to *put away a wife for every cause*; for no such cause of *divorce* is to be found in God's word. Such a thing would never have been thought of, had the *Bible* maintained its due weight in the church—then had not men dared to have made matters of *divine institution* subject to their caprice—changeable with their fancies, as if the fixed and unalterable will of God was as

* The council of *Trent* made a *decree*, that, “if any shall say, that the *church* hath not power to “add *impediments* which are *not* in God's word, and “to dispense with those that *are*—let him be AC-
“CURSED.”—I believe it may readily be granted, that both *church* and *state* have *equal* authority in the matter. See *Brent*, Counc. Trent, p. 784.

variable as their own. To set this matter in its true light, let us reflect a little on the changes which have been made, touching * God's institutions in this country—31 Hen. VIII. c. 14. makes a *priest* that marries, as also *his wife, felons*; and so even to affirm that a *priest* might marry *by the law of God*, with death and forfeiture of estate.—5 and 6 of Ed. VI. c. 12. repeals all this, and declares it “as lawful for *priests*, as for all other *christian* men,

* Here we might mention the marriage of *Henry VIII.* with *Catherine of Arragon*, his brother *Arthur's* widow, which was had and solemnized “by the counsel and advice of the most wise and gravest men of these realms, and by the deliberate and mature consideration and consent of the best and most notable men in learning, in those days, in *Christendom*.” (See preamble to stat. 1. *Mary*, c. i. sec. 2.) This very marriage, after twenty years cohabitation, and issue had, was dissolved by *divorce*, and declared by *act of parliament* (25 H. VIII. c. 22.) “to be against the laws of Almighty God, and therefore utterly void and of no effect.” This was in 1533. Twenty years afterwards, in 1553, the said marriage was “definitively, clearly, and absolutely declared, deemed, and adjudged to be, and stand with God's law, and His most holy word, and to be accepted, reputed, and taken of good effect and validity, to all intents and purposes.” These contrarieties and contradictions were the product of that *worldly wisdom*, which is always found to accommodate itself to the times; and, wherever power or influence seem to direct its operations, is the most flexible principles.—It is a perfect *Gnatho*, and may

Quicquid

“men, to marry.” See *Art. Ch. of Eng.* 32. These two contrary propositions were determined with *equal* solemnity by the two above-mentioned *kings*, by and with the advice of their several parliaments, and this all within the space of thirteen years. Then came *Queen Mary*, in 1553, and *priests* could not marry—In 1558 the embargo was once more taken off, on *Queen Elizabeth’s* accession, and then *priests* might *lawfully* marry. See *Ratification* of the 39 Articles of Religion.

So with regard to the sacrament of the

Quicquid dicunt laudo—id rursus si negant, laudo,
id quoque.

Negat quis? Nego. Ait? Aio. Possitne, impe-
rari egomet mihi,

Omnia assentari. is quæstus nunc est multo uber-
rimus. *Ter. Eam. Act. ii. Sc. 2.*

“Whate’er they say I praise it; if again,

“They contradict, I praise *that* too: does any

“Deny? I too deny:—Affirm? I too

“Affirm:—and, in a word, I’ve brought myself

“To say, unsay, swear, and forswear, at pleasure:

“And that is now the best of all professions.”

COLMAN.

How much better than all this do we represent the
divine law, when we suppose it to attend on the
times, and to change with the opinions of men? Thus Cardinal *Cusanus* said judicially in the council
of *Trent*, that “the understanding of the scripture
“must be *fitted to the time*, and expounded accord-
“ing to the *current rites*; and that it is not to be
“marvelled at, if the *church* in one time expoundeth
“in one fashion, at another in another. *Brent.*
Council. Trid. 159.

LORD’S

LORD'S *supper*—to deny the doctrine of *transubstantiation*, was *heresy*; for which the offender was to “ *be burnt* to death, “ and forfeit as in cases of high “ *treason*.” This was *law* and *sound divinity* in 1539, 31 Hen. VIII. c. 14; but in the year 1547, 1 Ed. VI. all was repealed and set aside. In 1553 *Queen Mary* came to the crown, and all revived again; hundreds were *burnt alive*—but in 1562, 5 *Eliz.* this monstrous doctrine (with the laws which taught and supported it) was abolished, and declared to be “ *unprovable* by holy writ—repugnant to the “ *plain words* of scripture—to overthrow “ the nature of a *sacrament*—and to have “ *given occasion* to many superstitions.” See *Art. 28. of the Cb. of Eng.* Amidst these strange, confused contradictory systems of religious opinion, what part may we suppose to have been taken by the great and unchangeable JEHOVAH? shall we imagine Him *such an one as ourselves*? that he was of one mind in the reign of Hen. VIII.—of another in the reign of Ed. VI.—that he changed again at the accession of *Queen Mary*, and veered about again in the reign of *Queen Elizabeth*?—Absurd as such questions may appear, they are not more so than to imagine His mind and will can change on one subject more than on another. To affirm, therefore, that His will can change touching the institution

stitution of *marriage*, either with respect to the *thing itself*—the *impediments* against it—or cause of *divorcement* from it;—that these were one thing in the days of *Moses*—another in the days of *JESUS CHRIST*, and as many others as the fancies of men chose to make them, in the several periods of the *christian church*, just as *Papists* or *Protestants* happened to be uppermost, and to get the *legislative* power into their hands; and especially since the invention of *marriage-ceremonies* to be performed by *priests*—must involve the *affirmant* in difficulties from which he can never extricate himself, but by totally renouncing so unscriptural, so senseless an *hypothesis*, and allowing that *marriage*, as in *God's* sight, in all the respects above mentioned, stands on the same foundation as ever—*the word of God*. *Dryden* says somewhere—“*God never meant His works for man to mend.*” This is doubtless as true of *His law* as it is of his other *works*; concerning *this* we may also say—*He spake, and it was done, He commanded, and it stood fast*. The rejection and contempt of *this law*, are the causes of numberless evils, which it was revealed and established to prevent in that most important business the *commerce of the sexes*.—*Adultery*, or the defilement of a betrothed or married woman, is, by *God's* law, a capital offence, to be punished with the *death of both the parties*; but being no

crime at all in the eye of our *penal Statutes*, it stalks abroad as it were at noon-day, fearless and careless, and seems now to be a fashionable method of a *wife's* getting rid of her *husband*, that she may marry her *gallant*.

Men being under no obligation by *our* law, as by God's law, to marry *virgins* they *seduce*—and if *married* men, being under a legal disability so to do—turn these deluded and helpless females out upon the wide world, either to starve, or to support a wretched existence by *prostitution*. God's law positively says, that *every man*, be his situation what it may, shall protect the virgin he seduces—that he never *shall put her away all his days*. So that (as in the case of *adultery*) we do not *punish*, as a public offence, what God *condemns*—and we do *punish*, in other cases, what God *commands*; for if the *married* man who seduced a *virgin*, &c. was to *marry her*, he would (but for the benefit of the *clergy*) be hanged for his pains. We may laugh at the absurdities of *Popery*, and condemn those tenets of the *church of Rome* which gave birth to the 31 Hen. VIII. c. 14. wherein a *priest's* living with a wife is made *worse* than keeping a *concubine*, the first being made felony in the *first* instance, the other not till a *second*; we may reproach such monstrous opinions with every term which

can express abhorrence and detestation; but are our laws less absurd, less contradictory to every principle of the *divine law*?—We make laws to hang a man for having *two wives* of his own—let him only debauch an *hundred wives* of *other people*, and he's safe from all *criminal* * prosecution! We also determine that if a
man

* The remedy by *civil action* is certainly open, but attended with great *expence*, *trouble*, and *loss of time*; and however such *damages* may be given as may in some measure satisfy the *plaintiff*, on these accounts, and be some punishment to the adulterer; yet what can restore the *husband's* lost peace of mind, both with respect to his seduced, debauched, and ruined wife, and to any children she may have brought him, which now he is to maintain and provide for as his own, under the dreadful apprehension that they are the bastards of *other people*? Still even this poor remedy is out of the reach of numbers, who cannot afford to go to law. As to *divorce*, this is so far from any *punishment* on the *woman*, as matters are now managed, that it is the very thing she desires; for by this she can marry a man whom she *likes better* than her husband. It is indeed so far beneficial to the injured husband, that it releases him from the *adulteress*, and so far may be looked upon as some remedy for his misfortune; but when the great expence of coming at it is considered, the steps which must be taken before it comes into parliament, and the cost afterwards, it is out of the reach of the common sort of men. The *physician* who was to prescribe a *purge* of a hundred pounds value, to be dissolved in some liquor which cost also a hundred pounds, and taken for the cure of a disease which a *poor man* is afflicted with, would adapt his medicine about as well to the circumstances of his patient.

man hath *two wives*, he is a capital offender ; but let him *debauch* and *ruin* an hundred *virgins*, or keep a *dozen concubines*—he shall be free !

I will not say—“ *Risum teneatis ?* ”—but rather—“ *Quis talia fando, Temperet a lachrymis ?* ”——

These

as our *divorces* are for the relief and release of injured husbands. However, it is not the king's “ *soit fait comme il est désiré*,” which makes the *divorce* valid in the *sight of GOD*, though it certainly is the dissolution of the *civil contract* ;—by the law of GOD the *divorce* was *ipso facto* in the power of the husband the moment the *act of adultery* came to his knowledge, and if he *put away his wife*, and *married another* (even upon the principles of *monogamy*) he *did not sin* ; to say otherwise, would be to contradict the scripture, and to deprive a man of a positive right, which GOD and nature have invested him with. I would wish to apply this to the case of every *poor* man among us, who though not *so poor* as to be able to swear he is not worth *five pounds*, yet poor enough to have a *divorce*, in the usual way, out of his reach.—Why is such a one to be forced to live with an *adulteress* ? to maintain, by the sweat of his brow, the children of other people ? to suffer all the miseries and inconveniences which a profligate wife may bring upon him ? The reason once might be, because the church of *Rome* denied *adultery* to be a cause of divorce *a vinculo matrimonii*, without the *POPE's dispensation*, and a poor man could not pay for it.

The reason now is, because we are treading in much the same steps, and deny *adultery* to be a cause of divorce *a vinculo matrimonii*, without an *act of parliament*, the expence of which only the rich can afford.

This

These things, and others which might be observed on these subjects, may serve to shew how far *superstition* hath supplanted the religion of the *Bible*, and the *traditions* of men the *commandments* of God. What makes matters even still worse, is, that

This is not among the *oppressions* which *Solomon* saw under the sun, for it never existed, till *christian* churchmen took upon themselves to trample under foot those rights of mankind, which the laws of *Heaven* had invested them with, and to direct and govern the opinions and consciences of men as might best serve the sordid views and interests of that *kingdom of this world*, which they first set up, and then called it THE CHURCH.

'Tis true, the whole fabric was shaken to its very foundations, by the zeal and activity of the Protestant *reformers*, so as to be demolished within this kingdom; but the *rubbish* is not all yet cleared away; and, among other things, that of declaring *adultery* no cause of divorce *a vinculo matrimonii*, contrary to Jer. iii. 8. with Matt. v. 32.

I do not mean that any man should be able to divorce his wife, without some *public* act of notoriety; for this would subject women to divorces on stories invented, or suspicions entertained, which may be groundless, and only to serve some *sinister* purpose—but that, where *adultery* is absolutely proved, there, as the contract is *ipso facto* dissolved, such dissolution should be allowed in such a manner as to lie within the reach of every man. One thing may be observed—that if *adultery* be not a cause of divorce *a vinculo matrimonii*, on the authority of the scripture, no POPE's *dispensation*, or ACT of PARLIAMENT, can make it so; but if it be a cause of such divorce, all men are equally intitled to the benefit of it.

that the authority of CHRIST is pleaded for much of this. He who came to *fulfil the law*, is represented as an *innovator*, and *destroyer* of it. His *apostles* are called in as His *coadjutors*:—though, when we hear them speak for themselves, they utterly disavow the charge—“*I came not to destroy the law,*” saith CHRIST—and saith St. Paul, in his *own* name, and in those of his *fellow-labourers*:—*Do we destroy the law through faith? God forbid!*—

The reason which the *canonists* give for *adultery* not being a cause of divorce *a vinculo*, &c. is very curious, *viz.* “*because the offence is after a just and lawful marriage.*” This is what makes the offence;—if no marriage, there can be no adultery: so that to make that which comes into the very *essence* of the crime, an exemption from the punishment of it, was no better than a bad excuse for retaining the power and lucre of dispensation in the hands of the Pope.

The passage Jer. iii, 8. above referred to, sets the matter in a very different light. GOD says, that for the *adultery* of backsliding *Israel*, (meaning the *ten tribes*) He not only *שליחתה* had *put her away*, but He had given her a bill of *כריתת* divorce, excision, or cutting off. Comp. Is. l. 1. All this most evidently is to be understood in a figurative sense, but shews that *adultery* is a cause of *excision* or cutting off a *vinculo*, &c.

On the whole of scripture, taken together, on the subject, it seems that the law inflicted death on *adultery*, and if the injured husband prosecuted, that sentence must be inflicted by the judges; or if he did not chuse to make his wife a *public example*, he might in a more *private* manner *put her away*, and give her a bill of *excision*. Comp. Matt, i, 19.

~~Yes—we establish the law.~~—Was such the language of all our *municipal* laws, it would be happy for the world, as the torrent of *lust, profligacy, and cruelty*, could no longer ravage far and wide, and spread its desolation over thousands and tens of thousands of deluded and forsaken *females*, and, by *their* means, over the young and thoughtless of the other sex. Then might we hope that the pure truth of God might find its way back to the now dark regions of *Asia*, which, till then, is, humanly speaking, impossible; and the followers of *Mahomet* would no longer have it in their power (like *Cerintus*) to charge the God of the *Christians* “with opposing the God of the *Jews*.”—Even * *China* itself

* *Montesquieu* is for giving physical reasons for permitting *polygamy*, or prohibiting it, in different countries, according to the heat or cold of the climate. Thus, says he, “the law which permits “only *one wife*, is physically conformable to the “climate of *Europe*, and not to that of *Asia*. This “is the reason why *Mahometanism* was so easily established in *Asia*, and with such difficulty extended “in *Europe*; why *Christianity* is maintained in *Europe*, and has been destroyed in *Asia*; and, in fine, “why the *Mahometans* have made such progress in “*China*, and the *Christians* so little.” He well adds —“Human reasons, however, are subordinate to “that *Supreme Cause*, who does whatever He pleases, “and renders every thing subservient to His will.” *Esp. of Laws*, vol. i. 372. Octavo, Eng. book xvi. c. 2. Again he says—book xix. c. 18. “It is al-

self might listen to the truth, when undulterated with human inventions, unsophisticated with *pious lyes*. Whereas they may now say to us, as CHRIST said to the *Pharisees*—*Ye have made the commandment of GOD void by your traditions.* Matt. xv. 6. *Ye teach for doctrines the commandments of men.* Mark vii. 7.

I do not mean by this, that any *missionary* would be justified in allowing the laws of the *seraglio*, or of the *baram*, as agreeable to the law of GOD. Buying women as *slaves*, and shutting them up as *prisoners*, forcing them against their inclinations, and detaining them against their consent, under bolts and bars—the mutilating men, and making them *eunuchs*, that they may be guards and centinels over these unhappy women, is all monstrously inhuman, wicked, and abominable, and so ought to be represented. It is so far from having a single ingredient in it of the true idea of the holy ordinance of *marriage*, that it is no other than a most

“ most impossible for *Christianity* ever to be establish-
 “ ed in *China*,” for which he mentions several rea-
 sons, and, among the rest—“ the marriage only of
 “ one wife.”—“ As for the *Indians*, travellers in-
 “ form us, that the chief reason why several of their
 “ *princes* have refused to embrace the *Christian* reli-
 “ gion, hath been, because, amongst other condi-
 “ tions, it was required of them to admit no more
 “ than one woman to their bed.” *Puffend.* b. vi,
 c. 1. § 16.

horrid scheme of *rape* and *debauchery*, and these multiplied according to the number of those wretched *females* who become the hapless victims of the pride, lust, and tyranny of their oppressors. Was the truth of GOD received, did real affection unite the parties, the prison-doors would be thrown open, the unhappy guards dismissed, and numbers bless the day, when choice established the union, when faithfulness was secured by affection, and all seduction and dereliction prevented by the guardianship of the *divine law*. On the other hand, were a *missionary* to go into those countries where *polygamy* is allowed, and open his commission with declaring, that—"though *polygamy* was allowed under " *the law*, yet CHRIST forbid it under *the " gospel*"—he would go with *a lye in his right hand*. If. xlv. 20. He would have nothing to do but to take the plan of the *marriage-act* in his left, and tell the people, that " unless *banns* were published in the " *mosque*, or *ten * zinger lees* were given " to the *Mufti*, or some lesser sum to the " *chief Imams* for a *licence*, and unless the " ceremony be performed in such a particular place, the marriage is *void* to all " *intents and purposes* whatsoever, the positive institution of GOD to the contrary

* About ten guineas English.

an hearty *baptizado* for his pains. That any rational beings can be brought to believe such absurdities in any part of the globe, is one sad proof of the ascendancy which Superstition has over the minds of men, and of the small pains which in general are taken by them to inform themselves in matters of the highest consequence; of which I shall next proceed to treat, in the following chapter.

I will only observe here, however strange

Lord Kaims, Hist. of Man, vol. i. p. 197. observes, that among the most zealous Christians in the kingdom of Congo, polygamy is in use as formerly, when they were Pagans; and that sooner than give it up, they would renounce Christianity.

Bellarmino, De Matrim, c. 12. very piously saith—
 “Ob solam polygamiam infideles a baptismo & toto
 “Christianismo arceudi.”—“That infidels who use
 “polygamy, are for that, *sola cause* to be driven from
 “baptism, and from the whole of Christianity.—
 Query—If this be not to strain out a gnat, and swallow
 “a camel?”

In c. 10. of the same book, the same Bellarmine saith—
 “Polygamia non repugnat juri nature, quod
 “est divinum, quod unus vir ex pluribus feminis
 “liberos possit suscipere & alere.”—“Polygamy is
 “not repugnant to the law of nature, which is di-
 “vine, that one man might beget and bring up chil-
 “dren by more women than one.”

Contradiction must ever be found, where people err from the one consistent truth of God.—Hence it is no wonder, that, notwithstanding all the bitterness of that gloomy misogamist Jerome, against even marriage itself, in his writings against honest Jovinian, that he should say, when writing to Pamphilus—*Non damno polygamiam*.—“I do not condemn polygamists.”

it

it may seem, that our notions relative to the *commerce of the sexes*, are by far more friendly to * *polygyny*, than the *Turkish* system of *polygamy* is. A *Turk* may take one or more *wives*; but then they are kept in his *haram* as his inviolable property—no eye of a stranger can ever behold them, and they are maintained and provided for, as liberally as the man's circumstances will permit. Whereas, among us, a man may *take* as many women as he can seduce, and abandon them whenever he pleases; they can claim no property *in him*, nor he *in them*; he turns them upon the *common*, either to starve with hunger, or rot by *prostitution*.—That this is against the law of God, is very clear; but there is nothing in our law which can either prevent or remedy it. Had we, at the *Reformation*, adopted the law from *Mount Sinai*, instead of that from the *council of Trent*, relative to *marriage*, such things could not exist.

With regard to the depredations which are made on *married women*, how may the *Mahomedans* shame us! So sacred are women in *India*, that, even in the midst of

* By *polygyny* (from *πολυς*, *many*, and *γυνή*, *woman*) is meant—the having more *women* than one, without *marriage* or other obligation towards them.

By *polygamy* (from *πολυς*, *many*, and *γαμος*, *marriage*) is meant—the having more *wives* than one.

slaughter

slaughter and devastation, the common soldier leaves them unmolested; the *haram* is a sanctuary against all the licentiousness of victory; and ruffians, covered with the blood of an husband, shrink back, with veneration, from the secret apartment of his wives. But this is not confined to *India*. At *Constantinople*, when the *Sultan* sends an order to strangle a state criminal, and to seize on his effects, the ruffians who execute it enter not into the * *haram*, nor touch any thing belonging to the women. See *Alexander*, Hist. of Wom. p. 191.

In short, we may boast of our *monogamy*, and condemn *polygamy*—but there is not a nation under heaven, where *polygyny* is more openly practised, than in this *Christian* country; for though a man can *marry* but *one* at a time, he may have as great a variety of women as he pleases, without ever *marrying* at all. This is so inveterated by custom, that those laws of *Heaven* which

* It was a bitter *satire* on the *Christians*, which was uttered by *Mehemet Effendi*, the last *Turkish* ambassador in *France*—"We *Turks*" (says he) "are great simpletons, in comparison of the *Christians*. We are at the expence and trouble of keeping a *seraglio*, each in his own house; but you ease yourselves of this burden, and have your *seraglio* in your friends' houses."—See *HUME's Essays*, 3d edit. vol. i. p. 252. How far we have been imitating the manners and customs of the *French*, so as to make ourselves objects of the above reflection, I leave to others to determine.

were

were made to prevent it, seem to be totally forgotten.

I will conclude this chapter with a summary of its contents, which are all reducible to one general rule.—God's *ordinances*, being of His *own* appointment, are solely under *His own authority*; so that *men cannot change or alter them*, either with respect to *themselves* as to the *matter* of them, or as to their *operation, force, and effect*. *Marriage* is an ordinance of God, of His own appointment, both with respect to the thing *itself*, and its *operation, force, and effect*, with respect to *us*—therefore, as to these, is solely under God's authority, and cannot be changed or altered by human laws. As the substance of the *bread and wine* in the Lord's *supper*, remained the *same* after consecration as before it, notwithstanding the bloody edict of Henry VIII. above mentioned; so *marriage* remains, as to the *matter, force, effect, and obligation* of it upon the parties, just the *same* in the sight of God *now*, as *before* 26 Geo. II. c. 33.

As no human law can change any *ordinance of God*, so neither can it change any *truth of God*.—I firmly believe, that the 39 articles of the *church of England* contain, in point of doctrine, the truth of God; but I do not believe this one jot the more because they are enacted by authority

thority of *parliament*: nor should I believe it one jot the less, if the efforts of their *Arian* and *Socinian* adversaries were to succeed, and the *parliament* was to declare their obligation upon men's consciences, as well as the articles themselves, and all things contained therein—"null and void" "to all intents and purposes whatsoever;" "any law or usage to the contrary notwithstanding."

There is a *statute* which has been before mentioned, viz. 31 Hen. VIII. c. 14. which makes it *felony, without benefit of clergy*, to assert that the *communion in both kinds* is necessary to the laity, or ought to be administered or received—but this law could have no effect upon the nature of the ordinance as in God's sight.—So 1 Jac. c. 11. makes a man a *felon, and to suffer death*, for having *two wives* together—but can this be proved to affect such a *marriage*, or to make it null and void or sinful in God's sight? The only way to prove that either of these laws are binding on men's consciences, is, to prove that they harmonize with God's truth as revealed in the scripture, otherwise one is just as much unauthorized as the other.

As to mere *circumstantials*, which respect outward order and decency, as they are no part of the ordinances themselves, they may be under the appointment and controul

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As to mere *circumstantials*, which respect outward order and decency, as they are no part of the ordinances themselves, they may be under the appointment and controul

troul of man. So when our *Rubric* says, that there shall be “ a table with a fair “ white linen cloth upon it” at the administration of the *sacrament of the LORD’s supper*—and again, with respect to *baptism*—that “ without great cause and necessity, “ the people shall be warned that they “ procure not their children to be baptized at home in their houses”—I see no sort of harm in all this ; but if the *act of parliament*, which confirmed the *Rubric*, had gone on—“ And be it enacted, that if “ the sacrament of the LORD’s *supper* be “ administered without such *fair white linen cloth upon the table*, or *baptism* be “ administered in *private houses*, unless “ for such *great cause and necessity* aforesaid, such sacraments of the LORD’s *supper*, and *baptism*, so administered, shall be “ utterly null and void to the receivers of “ the same, to all intents and purposes whatsoever”—this had been an attack upon the *ordinances and truths* of scripture—not a lawful and authorized *statute*. Let this reasoning be applied to the question of *marriage*, as it is a * *civil contract*, and as such

* The *outward* contract between the parties, is certainly of a *civil* nature, and ought to belong to the *civil magistrate*. In this respect, the *clergy* have no more to do with it than they have with *finer* and *recoveries*, or any other temporal causes. The payment

such the *object of human laws*—and as it is a *divine institution*, and as such *not the object of human laws*—then it may easily be determined how far these ought to be binding on the consciences of men, where marriage is concerned.

ment of the *מָהַר* or *dowry* (see before, vol. i. p. 26.) among the *Jews*, which was in nature of a *civil contract*, was transacted between the man and the damsel's father; but had nothing to do with the *priests* and *Levites*, nor was it any part of the *Temple service*,

C H A P. VIII.

*Of SUPERSTITION, more especially relating
to the Subjects treated in this Book.*

WHEN man fell from God by disobedience, in striving to make himself wiser than God had made him, and that by a means which God had forbidden, he lost that image of *knowledge* and *wisdom* in which he was originally created. (Comp. Gen. i. 26. Col. iii. 10.) The only means of any restoration to this, must be by *revelation*; for as man by transgression had brought *darkness* into his soul, as well as *guilt*, this could never have been removed by any powers of the human will or understanding; He *alone* who created the *material light*, could dispel the clouds in which the human mind was involved, and cause once more the *light of the knowledge of the glory of God* to shine into the desolate and benighted heart of man. Nothing could have * discovered any traces of the
divine

* “ God hath given out to us the whole of His
“ *mind* and *counsel* concerning us in *writing*, as a
“ merciful and stedfast relief against all that confusion,
“ *darkness*, and *uncertainty*, which the vanity,
“ *nity*,

divine mind and will, but those gracious declarations of them, for which fallen man stands solely indebted to the free and gratuitous interposition of divine mercy and goodness. *For what man knoweth the things of a man, save the spirit of man which is in him? Even so the things of God none (wðeis) knoweth—but the Spirit of God.* I Cor. ii. 11.—*Who hath known the mind of the LORD, and who hath been His counsellor?* Rom. xi. 34.—*My thoughts are not your thoughts, neither are my ways your ways, saith the LORD; for as the heavens are higher than the earth, so are my ways higher than your ways, and my thoughts than your thoughts.* Is. lv. 8, 9.—*Canst thou by searching find out God, canst thou find out the ALMIGHTY to perfection? It is as high as heaven, what canst thou do?—deeper than hell, what canst thou know?* Job xi. 7, 8.

This is giving us fair warning of our deplorable ignorance with respect to God and His will and ways.—Still—*vain man would be wise, though man be born like a*

“ nity, folly, and looseness of the minds of men,
 “ drawn out and heightened by the unspeakable al-
 “ terations which fall out amongst them, would
 “ otherwise certainly have run into.” Dr. Owen on
 the Scriptures, p. 28. to which we may add—which
 they have run into by leaving the written word.

* *wild afs's colt*. Job xi. 12. His imagination will set to work; and though he be assured that *all scripture is given by inspiration of God, and is profitable for doctrine*—therefore is to *teach us*;—for *reproof* (*προς ἐλεγχον*)—for reproof or conviction of *sin and error*—and therefore to set them before us in their true light;—for *correction*—*ἐπανορθωσιν*—for setting right and amending that which is wrong;—for *instruction*—(*παιδειαν*—institution—discipline) in *righteousness*; and all this that the *man of God may be perfect, thoroughly furnished unto all good works, and thus be made wise unto salvation* (see 2 Tim. iii. 16, 17.)—yet, such is the pride, such the folly of man, he will not be satisfied with what God hath revealed, but would fain make some discoveries of his *own* concerning God and *religion*, which, rather than part with, he will even make the criteria and

* “How keenly is this comparison pointed!—
“ *Like the afs's*—an animal remarkable for its stupidity, even to a proverb;—*like the afs's colt*—which
“ must be still more egregiously stupid than the dam;
“ *like the wild afs's colt*—which is not only blockish,
“ but stubborn and intractable; neither possesses
“ valuable qualities by nature, nor will easily receive them by discipline.—The image in the original is still more strongly touched. The comparative particle *like* is not in the *Hebrew*; it is—
“ *born a wild afs's colt*—or, as we should say in
“ *English*—*a mere wild afs's colt*.” HERVEY, *Ther. and Aspas.* vol. ii. p. 237. 5th edit. 1777; octavo.

standards

standards of truth; will endeavour to reconcile his own *inventions* with God's *revelations*; and if this be too hard, the next experiment is to accommodate the *divine revelations* to his *own inventions*. There are no *popular systems of religion and worship*, where this is not to be found. This was the plan of the *Babel-builders* of old time, and ever since it has been, as *they were, scattered over the face of the whole earth*. Gen. xi. 8. The *Heathen*, who had the *volume of nature* open to them for their instruction (Rom. i. 19, 20.) became vain in their imaginations, and their foolish heart was darkened—*professing themselves to be wise, they became fools, and changed the truth of God into a lie, &c.* ver. 22, 25. The *Jews*, with the *written volume of divine revelation* before them, set their imaginations to work, trying to find out some *holier and better way* to walk and to please God than they found there—till they were as much lost to the teachings of God's word, as the *Heathen* were to the teachings of the *outward creation*—till, as Isaiah lx. 2. expresseth it—*darkness covered the earth, and gross darkness the people.*—The *Christian churches* began very early to tread in * the same steps, and to

* When we contemplate *Christianity*, as revealed in the *Old Testament*, and as opened to us in the

to invent schemes of *holiness* and *purity* with respect to *manners*—of *mortification* and *austerity* with regard to *discipline*, and
not

New Testament, we may truly call it a most noble, most gracious, and most glorious display of heavenly wisdom, an emanation from all the perfections and attributes of the DEITY; suited, *divinely* suited, to relieve the wants, and to heal the misery, of fallen man—to stamp once more the *divine image* on the human soul, and make it *meet to partake of the inheritance of the saints in light*. Col. 1. 12.

But if it be considered *only* as it appears when *caupenized* with the vain reasonings of men of corrupt minds—*adulterated* by human sophistry—*perverted* to serve the cause of earthly power and worldly dominion, or to quadrate with human systems—*darkened* by folly and superstition—*disgraced* by the uncommanded austerities of visionaries and enthusiasts—*scandalized* by the monstrous vices of its professors—*wrested* by disputants into palpable contradictions, and made subversive of the *divine law*—but above all, as pressed into the service of fraud, rapine, injustice, and cruelty—it then appears, not only unworthy of the DEITY, but the most mischievous and horrid *superstition* that ever infested the earth. Little better than all this, are the views of it presented to us by the most faithful historians, in their accounts of the *church*, but more especially after the *empire* became *Christian*, when we read of little else, in general, than the intrigues of *churchmen* against one another, and the rest of mankind, in order to gratify their ambition and avarice—and to satiate their pride, revenge, and cruelty. That the scriptures should be preserved to us entire, when coming through *such hands*, is as evident a miracle, as it would have been to have kept a spark of fire alive in the *heart of the sea*. But here let me mention, with veneration and honour, the comparatively faithful *few*, who, in the face of difficulty, danger, and even *death itself*, maintained their
 integrity,

not sparing of the body (Col. ii. 23.)—of *rites and ceremonies* with regard to *worship*—of *human wisdom and science* with respect to *doctrine*—till they even (before two centuries were elapsed) vied with *Babel* itself; and whoever can read *Dr. Mosheim's* account of the early ages of *Christianity*, without thinking it as great a miracle as any recorded in the *gospels*, that they should ever reach us at all, but more especially in the pure state in which they are among us, will appear to have a talent at accounting for things by *second causes*, beyond the capacity of any writer I yet have met with. Why *Heathens, Jews, and Christians*, should act so uniformly towards those *revelations which God at sundry times and in divers manners* (Heb. i. 1.) hath vouchsafed them, is all accounted for on one simple principle—Prov. xxvii. 19. *As in water face answereth to face—so doth the heart of man to man.* Hence it is, that through all ages of the *church*, those who have invented *systems* for *others*, have constantly been mixing the peculiarities of some or other which they have had invented for *them*:—there is therefore no se-

integrity, and *shone as lights in the world*—such are well called—the *salt of the earth* (Matt. v. 13.) for it has been by the *savour of their lives and doctrines*, that the whole *mass* has been preserved from total corruption.

curity to be found from error, until a man is really and truly

Nullius addictus jurare in verba magistri.

HOR.

*Friend * to all sects—but blindly sworn to none.*

FRANCIS.

The *Apostle*, 1 Thess. v. 21. says, *Try—prove—examine—δοκιμαζετε—assay*, as refiners do metals, *all things*; hold fast that which is good.—Beloved, saith 1 John iv. 1, *Believe not every spirit, but try the spirits whether they are of GOD, because many false prophets are gone out into the world.* But how is this trial to be made?—Not by the poor ineffectual fire of human wisdom—but by putting what we hear or read into the furnace of divine truth, by searching the scriptures, comparing spiritual things with spiritual, and whatsoever will abide this, we may believe to be true; for GOD's truth, like His children that we read of Dan. iii. 27. the more it is tried, the more evidently will it appear to be his peculiar care, and the more glorious will it come forth.

His having raised up men from time to time, in all ages of the church, who dared † thus to examine into the truth
for

* The author means, as far as christian love and charity call upon him to be so.

† There are few more beautiful images in any poet whatsoever, than that, by which Mr. Prior represents

for themselves, and then to attack the *superstition* of the day in which they lived, is to be reckoned among the foremost of those *second causes*, by which the *truth* hath been preserved to us. Yet much remains to be done, and surely none, who call themselves the real friends of mankind, can help wishing for the day, when those shackles which have been fixed upon the consciences of men by *priestcraft*, *bigotry*, and *vulgar error*, shall all drop off, and when men shall be bound, in all their actions towards *Heaven* and *each other*, by the ties of *justice*, *mercy*, and the *love of God*—Matt. xxiii. 3. Luke xi. 42.—when whole *hecatombs* of seduced, ruined, and deserted *females* shall cease to

presents the doubts and fears of the human mind, when determining simply for itself, and the confidence and boldness with which it acts, when it has *vulgar opinion* on its side.

Poor ALMA, like a lonely deer,
O'er hills and dales does doubtful err :
With panting haste, and quick surprize,
From ev'ry leaf that stirs, she flies ;
Till, mingled with the neighbouring herd,
She flights what erst she singly fear'd ;
And now, exempt from doubt and dread,
She dares pursue, if they dare lead :
As their example still prevails,
She tempts the stream, or leaps the pales.

He then, quoth DICK, who, by your rule,
Thinks for himself, becomes a fool. &c.

ALMA, Canto III.

pass through the fire of men's lust to *Moloch*, and to be offered at the shrine of *prostitution*.

Fable tells us, that *seven* noble *Athenians* were annually given to be devoured by the monster *Minotaur*; that this inhuman custom prevailed until *Theseus* slew the devourer:—we may say of our present *system* of laws, relative to the *commerce* of the *sexes*,

———mutato nomine de te
Fabula narratur———

Change but the name, the fable's told of thee.

only with this difference, that *seven* victims satisfied the *Cretan monster*, but not seventy—nor seven hundred—nor seven thousand *seduced virgins* are sufficient to complete the quota which is annually furnished, by the *female sex*, of sacrifices to the monster *Prostitution*. So it has long been, and so it still must be, until a restoration of God's most *holy* and *beneficent law* shall take place among us.

Superstition is the offspring of human *pride** and *ignorance*: as these are to be found

* These have always been fast friends to each other, and most determined foes to all that can oppose their influence over the minds of men. The difficulties which they have laid in the discoveries or revivals of *truth*, in *science* as well as of religion, are a

found in the nature of every child of fallen *Adam*; so, as these are *more or less* subdued by the power of divine truth, *superstition* will *less or more* bear its sway in religious matters.

By *superstition*, I would be understood to mean—a *devotion which has no foundation in the revealed will of God*, and either rests in the *imagination* of the party, or owes its sanction to some *mis-interpretation*

are acquainted with the history of the world. When, after the darkness of many ages, the first dawn of learning and taste began to appear in *Europe*, learned men in different countries began to cultivate *astronomy*: *Galileo*, a *Florentine*, about 1610, introduced the use of *telescopes*, which discovered new arguments in support of the motion of the earth, and confirmed the old ones, which had before been made use of by *Copernicus*; but such were the pride and ignorance of mankind, and such the fury and bigotry of the *priests*, that *Galileo* was forced to renounce the *Copernican* system as a *damnable heresy*. This very *philosophy* is now, as improved by Sir *Isaac Newton*, adopted as the true system of the universe. By this, and many other instances which might be given, we may judge how small the bias of *popular opinion* ought to be, where *truth* is concerned.

This observation may be illustrated still farther, if we consider the opposition given to the introduction of the *Quinquina* or *Jesuits* bark, about the middle of the last century, now almost universally acknowledged to be one of the greatest and best remedies in the whole province of medicine;—and, in 1769, when the whole college alarmed at the discovery of *Dr. James*, now proved *inflammatory fevers*?—What *Sutton* insur, because

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for the maintenance of *absurdities* too palpable and gross to conceal themselves from the discovery of our *outward senses*; yet believed, or professed to be believed, by *whole nations* of professing *Christians*, who are taught to look no farther than the *authority* of the *church*, and to submit their *understandings* and *consciences* to the dominion of *men* * *like themselves*. A melancholy proof this of the *superstition* and *folly* to which we are exposed, when once we can yield our assent to popular opinion, without giving ourselves the trouble to *search the scriptures*, as the *Bereans* did (Acts xvii. 11.) and to enquire for ourselves *whether these things are so*.

Free enquiry, when exercised with an honest desire to *know* and *to do the will of God*, is not only the *privilege*, but also the *duty* of every *reasonable creature*. To believe a *proposition* because it has the sanction of *popular opinion*, *worldly customs*, and *human laws*, may as well land us in *Popery* as in *Protestantism*, or in *Heathenism* as in *Christianity*, or in any thing else which it is the fashion to believe in the

* There is something very severe, but very true, in that sarcasm on the *ignorance* of *Romish* priests, and the *credulity* of the people, which *M. De Voltaire*, in his tragedy of *Oedipus*, puts into the mouth of *Jocasta*—

*voilà ce qu'un vain peuple pense ;
leur science.*

country

country where our lot is cast. *Brethren, saith Paul, (1 Cor. xiv. 20.) be not children in understanding, but in understanding be men. Saith 1 Pet. iii. 15. Be ready always to give an answer to every man that asketh you a reason of the hope that is in you—that is, a scriptural, wise, and solid reason. But how can this be done, unless we acquaint ourselves with some better foundation of our hope, than the bare IPSE DIXIT, the mere “ SAY “ so,” of any man, or all men put together ?*

One of the worst properties of *superstition* is, that, when it becomes inveterate, when grown old by long custom and usage, having descended from father to son, from generation to generation, it is as difficult to eradicate it out of the *body politic*, as to expel a long, fixed, chronical disease out of the *natural body*. In some instances, perhaps in *most*, nothing but *dissolution* itself can effect it. The *Pope's* supremacy and infallibility—the doctrines of masses for the quick and dead—indulgences—*five* of the *seven* sacraments—the celibacy of priests—transubstantiation—the adoration of the host—the worship of images and relics—praying to the Virgin Mary—the invention of purgatory—and other *superstitions*, are so ingrafted constitution of the

they can never be destroyed, without destroying that *political fabric*, which they call THE CHURCH, itself. This actually happened at the *Reformation*—these things being abolished, there was an end so far of the *church of Rome*.

When we reflect on the *superstition* with regard to *marriage*, which has so long reigned in the *christian church*, and is as much intervoven with *our laws*, as the other *superstitions* before mentioned once were, we may perhaps fear that this can never be destroyed, without destroying the whole *fabric* of those laws which support it.

Still *superstition* is *superstition*, however venerated or dignified; and every man who endeavours to detect it, and to destroy its mischievous supremacy over the minds of men, is equally a friend to religion and to mankind. The zealots on the side of the *superstition* will make an heavy cry against the *detector*, as the *Papists* did against the *Reformers*, or as the *Ephesians* did against *Paul* when he attacked their great *DIANA*, whom all *ASIA* and the world worshipped, (Acts xix. 26, 27.) by teaching, that *they are no GODS which be made by hands*. But our glorious *Reformers*, knowing that they had ~~the~~ truth of God on their side, boldly as *Paul* on the same principle before them; nothing could prevail

prevail on them to be silent in the important cause which they had undertaken, until, happily for themselves, and for succeeding generations, they found the force of that saying—*Magna est veritas & prævalebit.* — GREAT IS THE TRUTH, AND WILL PREVAIL.

I would not be understood as giving the name of *superstition* to every circumstance of *worship* and *religion* which is not to be found in the *Bible*. *Let all things be done decently and in order*, is the direction of an inspired *Apostle*, 1 Cor. xiv. 40. Many things may be observed and used for these purposes, not only innocently, but with much expediency; and while they are looked upon only in this light, they ought to have due reverence, and *to be submitted to for the LORD's sake.* 1 Pet. ii. 13. But when once certain appendages of human invention, are put in the place of, or made to supersede the obligation of *divine institutions*, there they erect themselves into *superstitions*, and, so far from claiming *reverence*, deserve * *contempt* and *abhorrence*, more especially when

* A stronger case than any above hinted at, meets us in the *holy scriptures*. The *brazen serpent*, ordained by GOD Himself, as a glorious *type* of *salvation*, EXALTED, but now EXALTED no more; for, at a later time, it was abused and *idolatry*, was banished. Comp. Numb. xxi. 4. xviii. 4.

they are attended with *ruin*, *destruction*, and *desolation* to thousands, whom the law of GOD was formed to protect and to preserve.

I have before compared the *divine* institution of *marriage* to those other *divine institutions* of *baptism* and the LORD's *supper*, as equally ordained of GOD, therefore equally exempt from the controul of man with respect to its *essence* and *obligation* in GOD's sight. Laws which men may make to alter or change these, are to be considered as *ipso facto* null and void with regard to the conscience, otherwise the ordinances of Heaven might in time become no ordinances at all. Though the *Pope* has banished the *cup* from the administration of the LORD's *Supper*, and thus abolished one half of the divine institution with respect to the *laity*, yet this cannot make the least alteration as to the essence and obligation of the thing itself in GOD's sight; the entire *sacrament* remains just where CHRIST left it, though *man has put asunder what GOD hath joined together*. So is it with the ordinance of *marriage*—those who are *joined together* by that ordinance by which they are pronounced *one flesh*, are so, and must remain so by virtue of the *divine* command, though all the legislative bodies on earth were to make a law to put

Superstition

Superstition says otherwise.—It has long taught us to tread the *ordinance* of GOD under foot, to vacate its obligation, to destroy its efficacy, to deny its validity ; and *marriage* is now supposed to consist in a *human ceremony*, administered by a *fellow-creature*, and that on such *terms* and *conditions*, as the fancy and imagination of mankind have first *invented* and then *imposed*.

Marriage was instituted, and its *one* ordinance appointed, *thousands* of years before there were buildings called *churches* or *chapels*—*steeple*s—*bells*—*Popish priests*—or *mass-books*. It is, as instituted by the GOD of nature, simply *one* and the *same* throughout all ages and generations, therefore *one* and the *same* as to its *import*, *validity*, and *obligation*, in the sight of GOD.

The particular laws which it pleased the ALMIGHTY to ordain for the honour of his own *moral government*, and for the *peace*, *welfare*, and good order of *society* in general, as well as for the protection and defence of the *individuals* which compose it, were clearly revealed by GOD at *Mount Sinai*, and committed to writing by *Moses*. These laws can never alter, much less give way to the *superstitious* inventions of men, but stand on record and bear their testimony against all *unbelief* and *unbelief* of men, not *ing a Popish* *imaginary*, or *of an* *of* *parliament* to d

These *laws* declare, that *if any man* be found lying with a woman *betrothed* or *married* to an husband; it is *adultery* in *both*, and BOTH *must* DIE—but if with a *virgin not betrothed*, *she shall be his wife*—*he may not put her away all his days*—BECAUSE HE HAS HUMBLED HER. The reason here given is very plain and conclusive, but with us it is no reason at all, we (practically at least) read the law thus—*she shall not be his wife—he may put her away when he pleases, though he has HUMBLED HER*—unless a certain human being called a *priest*—reads out of a service-book a certain *form of words*, called a *form of solemnization of matrimony*—in a certain place, called a *parish church* or *chapel*, and all this in compliance with a certain *human law* made for that purpose.—The whole is dependent on the humour of the parties, for if either be base or wicked enough to depart from their *engagement* before God, and to refuse a compliance with the *outward ceremony*, no *legal* restraint is laid on their total departure from each other; they may utterly divorce each other for ever—and *this*, though God's LAW positively forbids it, in words clear and plain as

~~Half-price with a fan-beam.~~

what is above ob-
 ver, still is, and ever
 I will

will be, the *Divine mind* and *will* upon the subject of *marriage*, and of that ordinance by which it is effected in the sight of God. No *outward ceremony* could add to its obligation, and accordingly we find no trace of any such thing in the scripture; the ceremonial appointment of the paying the *fifty shekels* to the *damsel's father*, seems to be the only *outward recognition* of the *contract* which appears under the law of *Moses*; but not a vestige do we find of the interference of *priests*, or *rites* and *ceremonies* of *matrimony* being any part of the *temple service*. The *Jews* indeed in after times invented many *rites* and *ceremonies* * upon the occasion; but as none of these are to be found in *boly writ*, they cannot be supposed in the least essential to the ordinance of *marriage*. It appears

* A particular account of these may be seen in *Broughton*, Hist. Lib. vol. ii. p. 179. None of them are to be found in the law of *Moses*, but consist of various inventions of their own; though one in particular, mentioned Matt. xxv. 1—7. seems to have been borrowed from the *heathen* customs—that of the *bridegroom* conducting the *bride* to his house by the light of torches at night.

Νύμφας δ' ἐκ θαλάμῳ, δαΐδ' ὅν ὑπὸ λαμπρότητι
 Ἦγ' ἵεν ἀπ' αὐτοῦ, πολλὰς δ' εὐμέναιος ὀρέμεται
 Hom. II. Σ. I.

Along the street the new-made
 With torches flaming, to the

rent.—So a man and a woman *joined* together according to God's ordinance, though they died before any outward human ceremony, would die just as much *husband* and *wife* in God's account, as if all the services which men ever invented had been red over them. This in every case—no prior engagement on the *man's side* was pleadable in bar of the *divine law*; its obligation affected all men alike, nothing could vacate or set it aside more with respect to *one* man than *another*. The words of the law, as hath been before shewn at large, do not authorize any exception, and where any is made, it is not God but *man* that makes it, but with no more authority than the *cup* is denied to the *Popish laity* in the LORD's *Supper*—this wants scripture for its warrant, and so doth the other.—In short, human authority militates against the word of God—*The prophets prophesy falsely*, (saith Jer. v. 31.) *and the priests bear rule by their means—and the people love to have it so*.—No doubt, while they can gratify their passions, without the least obligation to protect or provide for as their wives, the *virgins* they debauch, they will love the *superstition* which indulges them, and hate the *law* which restrains them—they will contend for the *rule* of *priests* in the affair of *marriage*, and believe that without their

their interference, there can be no *marriage allowed*, or *divorce forbidden*.

How this *superstition* should first arise in the Christian church, is very accountable from the propensity of the human mind towards inventions of its *own* in religious matters. The children of *Adam* are very apt to tread in the steps of their *first parents*, and to be *wise above what is commanded*. It flatters the pride of the heart, when some scheme of *seeming piety* is invented, which bids fair to set the *projector*, in his own opinion at least, above the level of more *scriptural professors*. We should never have heard of works of * *supererogation*, if there were not a much higher gratification of human pride, and self-conceit, in thinking we do *over and above* what God hath commanded, than in walking by the plain written rule of God's *word*. We have but to read the

* We may observe, that the laws of God have been profaned and insulted two ways: 1. By *inventing works* which they have not commanded: 2. By *making sin* where they have made none. As for the trade of *sin-making*, it has been a very lucrative branch of commerce to the *church of Rome*, by increasing the demand for *licences, indulgences, dispensations, &c.* I am sorry to be obliged to confess, that our *Protestant church* is not quite clear of this traffic—If a matter is *evil in itself*, what licence or dispensation can justify it? if it be *not evil*, what need of licence or dispensation? unless it be, that *some* are to gain by the *credulity* of others.

histories of the *Popish saints*, and we shall find some uncommanded heights of mortification, bear a price beyond all the *scriptural* self-denial which is to be met with—an hair shirt—a girdle with iron spikes in it—macerating the body by austere fasting—or lacerating the flesh with whips and scourges—together with other uncommanded instances of the ἀφειδεία σωματος, which the *Apostle* mentions—Col. ii. 23.—will set a *Popish ascetic* into a state of spiritual pride little short of madness:—the cell—the cloyster—the abstaining from meats, which God hath created to be received with thanksgiving, of them which believe and know the truth (1 Tim. iii. 4.); but above all—*forbidding to marry* (ver. 3.) though rendering millions * of men and women useless in their generation, and, as far as in them lies, destroyers of the human species, contrary to the *primary* decree of Heaven, Gen. i. 28.—all these are looked upon as the † heights of *purity* and religious *perfection*.

These.

* Monks were pretty well established in the time of Constantine, early in the fourth century. It began in the eastern countries, in Egypt, Palestine, and Persia, before it was introduced into the western parts of the Roman empire. In the fourth century, there were 60,000 monks and nuns, in Egypt alone. See Fortin, 105, 173.

† How far they proved so,

These things were foreseen and foretold by that *Spirit* which knoweth what is in man—see *Tim.* iv. 1, &c. —The *apostles* were scarcely cold in their graves, when these *seducing spirits, transforming themselves into angels of light*, began to work. One grand design of *Satan*, in all that he does, is the destruction of the *human race*; hence we may account for those plans of *celibacy* which make such a figure in the history of the *Christian church*. *Dr. William Cave*, a celebrated historian of *primitive Christianity*, in *cb.* v. tells us, that “the *Christians* of * those
“ times

Hist. Reform. vol. i. p. 191. and in *Hist. of Popery*, vol. ii. p. 431, 432.—When visitors were appointed by *Hen. VIII.* to enquire into the *sanctity* of the *monasteries*—the above-mentioned authors have recorded the *black return* which was made. See also *Fuller, Church Hist.* lib. vi.

* “The *fathers* began from early times to talk
“ weakly and injudiciously upon the subject of *mar-*
“ *riage*, and to cry up a single life above measure.
“ Till, about the time of *Constantine*, notions were
“ entertained, which afterwards helped to fill the
“ world with drones, mendicants, fanatics, and
“ imaginary *dæmoniacs*, not to mention other bad
“ consequences.

“ *Ambrose*, in the fourth century, was a violent
“ *fighter* for celibacy, and affirms, that *Alexandria*,
“ *Africa*, and the *East*, where there was the greatest
“ number of *religious virgins*, were therefore more
“ *her countries*.” *Jortin*, vol. ii.
“ *not worthy St. Patrick* himself
“ *century, Salvian*, and other cele-

“ times were so far from breaking in upon
 “ unchaste embraces, that they frequently
 “ abstained even from *lawful* pleasures,
 “ and kept themselves even from the bo-
 “ nourable and *undefiled* bed, never mar-
 “ rying all their life. We are, says Oc-
 “ tavius, chaste in our speech, and chaste
 “ in our bodies, and very many of us, tho’
 “ we do not boast of it, do inviolably pre-
 “ serve a *perpetual virginity*; and are so
 “ far from any extravagant desires after
 “ incestuous mixtures, that many stand at
 “ a distance from the most chaste and mo-
 “ dest embraces. Thus *Justin Martyr*
 “ tells the emperors, that, among the
 “ *Christians*, there were a great many of
 “ either sex, who for sixty or seventy
 “ years had kept themselves single and
 “ uncorrupt, and he wished that the like
 “ could be shewn in all * other sorts of
 “ men.” Here was a foundation laid for
 people in after times to combine them-

“ brated writers, gave it as their opinion, that none
 “ were truly and perfectly holy, but those who ab-
 “ stained from matrimony.” Mosh. vol. i. p. 255.
 In the sixth century began the reign of intellectual
 darkness, which lasted for a *thousand* years, under
 the superstition and buffoonery of the church of *Rome*,
 till it began to be dispelled by the Protestant refor-
 mation in the sixteenth century.

* How gloriously would this have increased, ~~the~~
 devil’s triumph over that primary com-
 ful and multiply, and replenish the ea

selves into distinct societies, to consider *marriage* as a less pure state than *celibacy*, and therefore to bind themselves under vows of *perpetual chastity*, as they called it. Indeed so early as the *second* century, there were a set of people who called *marriage* “ a carnal thing, and unlawful for *Christians* under the *gospel*.”

Those zealots among the primitive *fathers* and *Christians*, who thought “ marriage for *once* allowable, yet held it in a “ *second* * instance *inexcusable*.” *Dr. Cave*,

* The *Romans* held it dishonourable for a woman to marry twice ; they judged it to be a criminal incontinence, and a tacit breach of the promises made in her first marriage. Hence *Virgil*, in those beautiful lines, makes *Dido*, the widow of *Sichæus*, say—

*Sed mihi vel tellus optem prius ima debiscat,
Vel Pater omnipotens adigat me fulmine ad umbras,
Pallentes umbras Erebi, noctemque profundam,
Ante pudor quam te violo, & tua jura resolvo.
Ille meos, primus qui me sibi junxit, amores
Abstulit ; ille habeat secum, servetque sepulchro.*

But first let yawning earth a passage rend,
And let me through the dark abyss descend ;
First let avenging Jove, with flames from high,
Drive down this body to the nether sky,
Condemn'd with ghosts in endless night to lie ;
Before I break the plighted faith I gave :
No ; he who had my vows shall ever have,
For, whom I lov'd on earth, I worship in the grave. }

DRYDEN.

~~Compare~~ compare this with 1 Cor. vii. 39. Heb. passages in scripture, we shall find, ut *second* marriages, resembled *Christianity*.

in

in a very commendable zeal for the virtues of these people, throws the best veil he can over their follies, and makes the best excuse he can invent for them.—“ Indeed “ it cannot be denied,” says he, “ but “ that many of the antient fathers—*Ter-* “ *sullian, Cyprian, Hierom, and others, did “ inveigh against second marriages with too “ much bitterness and severity, violently “ pressing many passages in scripture to “ serve the cause, straining the string many “ times till it cracked again, and not “ sticking to censure and condemn second “ marriages as little better than adultery. “ Hear what one of their apologists says to “ it:—Amongst us, every man remains as “ he was born, or engages himself in one “ only marriage; for as for second mar- “ riages, they are but a more plausible or “ decorous kind of adultery, our LORD “ assuring us, that *whosoever putteth away “ his wife, and taketh another, committeth “ adultery:—* which text, as also another “ of like importance, how perversely he “ interprets, and impertinently applies to “ his purpose, I am not willing to re- “ member.”*

However absurd such an interpretation of the above scripture may appear to us, because we are not involved in all the *superstition* of those days, yet it is not more so than interpreting the words as some of our more modern

modern commentators do, to condemn polygamy.—Putting away a wife by a bill of divorcement, and marrying another, is at least as good a phrase for putting a dead woman under ground, and marrying a second, as for taking two wives together, or for keeping a living one, and taking another to her.

St. Jerome (as he is called) who lived in the 4th, and in the beginning of the 5th century, actually wrote against marriage, and numbers it among those things which are *per se mala ac vitiosa*—"evil and "vicious in themselves."—See Beza on 1 Cor. vii. 1. No wonder that this four monk of Palestine should inveigh so bitterly as he did against second marriages of all sorts.

It has been remarked, that of all the praisers of virginity, JEROME seems to have performed his part the best; who calls *Eustochium* the nun his lady, because she was the spouse of his Lord, and reminds the mother of this lady, that she had the honour to be God's mother-in-law—Socrus Dei. Fortin, Rem. on Eccl. Hist. vol. ii. p. 170.

Ambrose, Prefect and afterwards bishop of Milan, who also lived in the 4th century, was a violent declaimer in favour of virginity, and, in a treatise on that subject, he exhorts "girls to enter into nunneries, "though against the will of their parents." Fortin, Ib. 176.

The

The progress of *superstition* in this 4th century, and the erroneous notions which prevailed, excited the zeal of many to stem the torrent. The most eminent of these worthy opposers was *Jovinian*, an Italian monk; who, towards the conclusion of this century, taught first at *Rome*, and then at *Milan*, that “those who
 “ passed their days in unsociable celibacy,
 “ were not more acceptable in the eyes of
 “ God, than those who lived virtuously
 “ in the bonds of marriage.” These and other judicious opinions, which many began to adopt, were first condemned by the church of *Rome*, and afterwards by *Ambrose*, in a council held at *Milan*, anno 390. The emperor *Honorius* seconded these authoritative proceedings by the violence of the secular arm—answered the judicious reasonings of *Jovinian* by the terror of coercive and penal laws—and banished this pretended *heretic* to the island *Boa*. *Jovinian* published his opinions in a book, against which *Jerome*, in the following century, wrote a most bitter and abusive treatise, which is still extant. See *Mosheim*, Edit. *MacLaine*, vol. i. 203, 204.

In the beginning of the 5th century arose *Vigilantius*, a man remarkable for his learning and eloquence, who was born in *Gaul*, and went from thence into *Spain*, where he performed the functions of a
presbyter.

presbyter. This man, honouring God's word above the *traditions* and *superstitions* of those times, boldly stepped forth, and bore his testimony against the opinions and manners of the reigning demagogues, and especially on the subjects of *celibacy* and *marriage*, together with the ridiculous austerities of a *monastic life*. There were, among the *Gallic* and *Spanish* bishops, several that sided with *Vigilantius*; but *Jerome*, the great *monk* of the age, assailed this bold *reformer* with such bitterness and fury, that nothing but his silence could preserve his *life*, from the intemperate rage of *bigotry* and *superstition*. And the name of good *Vigilantius* remains still in the *list of heretics*; which is acknowledged to be authentic by those, who without any regard to their own judgment, or the declarations of scripture, followed blindly the *decisions of antiquity*. See *Mosheim*, vol. i. 255, 256.

Jerome's Epistle against *Vigilantius* is a curiosity in its kind, and may be found in the *collection* printed at *Tournay*, duodecimo, p. 601. He sets out with observing how many "*monsters* have appeared in the " world, such as *Centaurs*, *Syrens*, *Cerberus*, the *Chimera*, *Geryon*, &c." At last *Vigilantius* is introduced as one of the greatest *monsters* of all, " who," he tells us, " with an unclean spirit fights against " the

“ the Spirit of CHRIST ; for that he calls
 “ continency, heresy—and *chastity*, the
 “ seminary of lust.”—In short, the poor
 man had written on the behalf of mar-
 riage, and plainly saw what must be the
 end of the pretended schemes of *chastity*,
 which the *monks* had espoused. But *Jerome*
 proceeds — “ Proh nefas ! *Episcopos* sui
 “ sceleris dicitur habere consortes, si ta-
 “ men *Episcopi* nominandi sunt, qui non
 “ ordinant *Diaconos*, nisi prius uxores
 “ duxerint, nulli cælibi credentes pud-
 “ citiam, & nisi prægnautes viderint ux-
 “ res clericorum, infantesque de ulnis
 “ matrum vagientes, CHRISTI sacramenta
 “ non tribuunt. Quid facient orientis ec-
 “ clesiæ ? Quid *Ægypti* & sedis aposto-
 “ licæ, quæ, aut virgines clericos acci-
 “ piunt, aut continentes, aut, si uxores
 “ habuerint mariti esse desistunt ? Hoc
 “ docuit *Dormitanti* libidini fræna per-
 “ mittens, & naturalem carnis ardorem,
 “ qui in adolescentia plerumque fervercit,
 “ suis hortatibus duplicans, immo extin-
 “ guens coitu fœminarum : ut nihil sit
 “ quo distemus a porcis, quo differamus
 “ a brutis animantibus, quo ab equis de
 “ quibus scriptum est—*Equi insani*entes in
 “ *feminas facti sunt* mibi : unusquisque in
 “ *uxorem proximi sui* hinniebat. Jer. v. 8.
 “ Hoc est quod loquitur per David Spiri-
 “ tus Sanctus—*Nolite fieri sicut equus &*
 “ *mulus*

“ *mulus quibus non est intellectus & rursus*
 “ de Dormitatio & sociis ejus—In chamo
 “ & freno maxillas eorum constringe, qui
 “ non approximant ad te.”—“ O abomi-
 “ nable shame! he (*Vigilantius*) is said to
 “ have *bishops* partners of his wickedness,
 “ if such are to be called *bishops*, who do
 “ not ordain *deacons* unless they first be
 “ married—believing there is no chastity
 “ in a *single man*; and unless they see the
 “ wives of the clergy pregnant, and in-
 “ fants crying in the arms of their mo-
 “ thers, they do not commit to them the
 “ power of administering the *sacraments*
 “ of CHRIST.

“ What must the *Eastern* churches do?
 “ What those of *Ægypt* and of the *aposto-*
 “ *tolical see* — (i. e. *Rome*)—who receive
 “ clergy that are *virgins*, or continent, or
 “ who, if they have *wives*, cease from
 “ being husbands?

“ Thus taught *Dormitanti*us” (N. B.—a
 “ *filly pun* on the name of *Vigilanti*us) “ giving
 “ the reins to licentiousness; and doubling,
 “ by his exhortations, the natural ardor
 “ of the flesh, which usually grows warm
 “ in youth, yea, even extinguishing it by
 “ intercourse with women. So that there
 “ may be nothing in which we should
 “ be distinguished from *hogs*, or in which
 “ we should differ from *brute beasts*, and
 “ even the *horses*—concerning which it is

.. written—*Raging for women, they are be-
 .. come to me as horses; every one neighed
 .. after his neighbour's wife.* Jer. v. 8.
 .. This is what the HOLY SPIRIT speaks
 .. by DAVID—*Be ye not like to horse or
 .. mule, which have no understanding—and
 .. again, concerning Dormitanti^{us} and his
 .. fellows—Constrain their jaw-bones with a
 .. bit and a bridle, lest they approach unto
 .. thee.* Ps. xxxii. 9.

The reader has here a sample of the spirit of those times with regard to *marriage*, particularly of the *clergy*; likewise of the candour, fairness, and good manners, with which those were treated, who dared, like *Vigilanti^{us}*, to step forth in the cause of *scripture*, *common sense*, and *truth*; against *superstition*, *folly*, and *error*; also of the ridiculous *abuse* and *perversion* of *scripture*, in order to maintain the reigning *superstition*. Lastly, we may observe; in what *Jerome* says, about “the *bishops* refusing to ordain *deacons* unless their wives were with child,” &c. that a little *lying* and *scandal* was esteemed of singular use. See *before*, vol. i. p. 303. n.

It should seem that the severity with regard to *second* marriages was afterwards relaxed, as to the *laity* at least; but a *third* was prohibited by several councils; and the emperor *Leo*, in the 9th century, published an edict, subjecting those who married

married *thrice*, to the penalties which had been decreed against them by the *antient councils*. However, this *emperor* was fairly caught in his *own snare*; for when he wanted to revoke that edict in his own case, the *clergy* would not suffer it.

The *emperor Leo*, who reigned at *Constantinople*, married *four* times, for which the then Patriarch excommunicated him. He begged to be restored, but in vain; upon which he deposed *Nicolaus Mysticus*, who had excommunicated him, from the *patriarchate*, confined him to a monastery, and placed one *Enthymius Syncellus* in his room. This occasioned a schism in the church, some of the *clergy* siding with *Nicolaus*, some with *Enthymius*. Though *Enthymius* restored *Leo* to the communion of the faithful, yet he resolutely opposed him, when, by the advice of the senate, he was about to publish an edict, declaring it *lawful* to marry a *fourth* time. Nor would the *clergy* suffer the *emperor* to revoke his *former edict* against those who married *thrice*. See *Ant. Univ. Hist.* vol. xvii. p. 79.

By all this we may learn, how early the *mystery of iniquity* began to work, in a combination of *church and state*, against the prerogative of *Heaven*, with respect to *marriage*, by men taking upon themselves to decide upon the *lawfulness* or *unlawfulness* of marriages, either independently on the scriptures, or in total opposition to them;

likewise to misinterpret and misapply them to justify their proceedings.

But to return to the primitive *Christians*. Had these people attended properly to the scriptures, instead of the workings of their own imaginations, they would not have been led into a disparagement of *marriage*, either when entered into in *one or more* instances. As to *marriage* itself, it was instituted when man stood in the *likeness and image of God*, in a state of much higher *purity and holiness* than any can now know on *this side heaven*; therefore it must have been in all respects consistent with *such a state*. One of the *two* persons recorded in scripture to have been *translated into heaven*, that *he should not see death* (Heb. xi. 5.) was a *married* man; nor did he keep himself “from the *honourable and undefiled* “bed;” for it is said, Gen. v. 22. *And ENOCH walked with GOD, after he begat Methusaleh, 300 years, and begat sons and daughters.*

As to *second marriages*, the calling them “*adultery and whoredom*,” was a monstrous *superstition*, amounting to a denial of the scriptures, which absolutely allowed them as *lawful and good*, even on the *woman's side*. Thus *Paul*, in allusion to the law of *Moses*, Rom. vii. 3. *So then if while her husband liveth she be married to another man, she shall be called an adulteress; but if her husband*

band be dead, she is free from that law, so that she is no adulteress, though she be married to another man. And again—The wife is bound by the law as long as her husband liveth; but if her husband be dead, she is at liberty to be married to whom she will, &c.

2 Cor. vi. 14. Comp. 1 Tim. v. 14.

So that we see what little dependence is to be placed on *primitive fathers* and *Christians*, or indeed on any thing else but the written word of God itself—compared with itself—explained by itself. The truth we come at by these means is sure and steadfast, and may safely be relied upon, though all the world should agree to think otherwise.

Dr. Cave, who, as was observed, has endeavoured to soften the * absurdities of these

* The farther we search, the more will the number of their absurdities increase upon us: witness some of the *fathers* and *moralists*, mentioned by *Athanasius Vincentius*, in his Notes on *Theoph. Aethens*; who held, that, “*Scortatio cum propria uxore committi potest, cum non liberorum querendorum causa, sed ad explendam libidinem, vel cum pragnante aut lactante res habetur.*” “That a man may be said to commit *whoredom* with his *own wife*, when he hath intercourse with her, not for the sake of having children, but to satisfy his *desires*, or when she is with *child*, or gives *suck*.” If this be the case, how is *marriage* any remedy against *fornication*? and what becomes of the *apostle’s*—*If they cannot contain, let them marry; for it is better to marry than to burn?* 1 Cor. vii. 9. How can a

like *the fathers and antient* (thus severe in this case (marriages) yet the rigour of *the law* will be much abated, if *the law* tell us be true, that *many of* marriages are not levelled against *the marriages*, but against having *two wives at the same time*; for, as a *learned man* has observed, there were *three sorts of digamy*: 1. A man's having two wives at once: 2. When, the *former wife* being dead, he married a *second time*: 3. When a man on slight *cause* put away his wife by a bill of *divorce*, and married another."—With regard to this *last*, it certainly could not be inveighed against too severely; for it is contrary to the very institution of marriage, that a man *should put away his wife* for *any cause, except for fornication*; as CHRIST proves to the *multitudes*, Matt. v. 32. and to the *Pharisees*, Matt. xix. 4, 5, 6.

man *burn* the lefs for having a wife, if he is to have no access to her for many months together, or indeed, on such principles, *not at all*, after she has done breeding? Yet such was the wisdom of *Ambrose, Jerom, Origen*, and others, who, in such instances, by becoming *wiser and holier* than the scriptures, were the instruments of *Satan*, to ensnare the consciences of those who had folly enough to believe what they said. Comp. 1 Cor. vii. 5.

As to the two first, namely, “a man’s having two wives at once, and a man’s marrying a *second* after the death of his *first*,” however Dr. *Cave*, or any other of their *apologists*, may endeavour to “abate the asperity of their censures,” they *both* were esteemed by the antient *Christians* and primitive *fathers* equally * unlawful; which is not to be wondered at, when *marriage* itself was so much spoken against, as a state of *less* † purity and perfection than *celibacy*, consequently the *more* and the *oftener* a man engaged in *marriage*, the more *impure* he must be. But the truth is, that there is *no* impurity whatsoever in *marriage*, though *often* or but

* In the *Neocæsariensian* council, anno 314, it was decreed—“*Presbyterum convivio secundarum nuptiarum interesse non debere.*” “That a *presbyter* ought not to be present at a feast of *second nuptials*.” The *canonists* said, that “an *iteration* of *marriage* was contrary to all honesty; or, if it could be admitted into the number of *honest things*, it must be called *honest whoredom*. Some said, that though it might be lawful, according to *St. Paul*, yet it was *fere fornicatio—almost fornication*.”

† This notion, and all its pretensions to *purity*, was no better than *Heathenism*; for among the *Romans*, “when the bride was brought home to her husband’s house, she was not to touch the *threshold*, but was lifted over it by main strength, because the *threshold*, being sacred to *Vesta*, a most *chaste* goddess, ought not to be defiled by one in *such* circumstances.” Broughton, Hist. Lib. vol. ii. 179.

once entered into. Abraham, who had more wives than one at a time, is not recorded as less pure than Isaac, who appears to have had but one; nor is Isaac said to be more pure than his son Jacob, who had four; we read of them all in an equal state of glory in the kingdom of heaven, Matt. viii. 11. but of no reproof on God's part, or sorrow or repentance on their part, on account of their different situations while on earth.

The superstition of its being sinful to have two wives in succession, remained a great while in the church; however the Protestant reformation helped us to the stat. of Edw. VI. (see before vol. i. p. 206.) which dissipated men's fears upon that subject; but with respect to having two wives at a time, we are still taught to look upon it in as horrible a light, as the primitive Christians did on having a second after the death of the first. This superstition has been so uniformly and successfully kept alive, that the reprobation of polygamy in the Christian church (our western part of it at least) is as universal, as the belief of transubstantiation or purgatory was before the Protestant reformation. In short, the superstition is inveterate, we may almost be said to suck it in with our mother's milk; it fastens upon us in our very infancy,

fancy,

fancy, it grows up with us—we know not how to get rid of it, nor ever shall, till, as at the above glorious period, men will dare to search, think, and judge for themselves, and thus emancipate their understandings from the slavery of *vulgar* * prejudice and *popular* opinion.

The Statute de Bigamis, 4 Edw. I. c. 5. ousted a man of his clergy, if he had

* In Mr. *Coxe's Sketches of Switzerland*—an entertaining, instructive, and sensible performance, lately published—he speaks of the Abbey of *Einsiedlin*, in the canton of *Schweitz*, and adds—“ The ridiculous tales they tell of the origin and aggrandizement of this abbey, are so many melancholy instances of the credulity of the darker ages. That they are still believed in the present enlightened century, must be attributed to the force of habitual prejudice; and at the same time proves, how difficult it is for the human mind to shake off those superstitious errors, which it has early imbibed under the sanctified name of religion.” P. 75, 76.

Another instance mentioned of the force of custom and prejudice over the human mind is to be found p. 488.

“ At *Basil* the clocks go an *hour* faster than those of the rest of *Europe*. Several reasons are assigned for this; one is, that the *sun-dial* on the outside of the *cathedral*, by which the *town-clock* is regulated, declines somewhat, as the building does, from the east, which occasions a variation from the true time.

“ A motion has often been made, in the sovereign council, to have the town-clock regulated properly, but constantly rejected. The people would think their liberties invaded, if such regulation was made,

had been *twice married*—the 1 Jac. c. 11. would *hang* a man that has *two wives*, but for the benefit of clergy; and no doubt these laws have, in their several days, served to strengthen the cause of *superstition*, by annexing public *infamy*, as well as *punishment*, to the supposed crimes of *bigamy* and *polygamy*. With regard to *adultery*, or with respect to the seduction and debauchery of *virgins*, and then abandoning them, the *adulterer* or *se-*

“ A few years ago, it was secretly agreed by some
 “ leading men in the town, to have the dial turned
 “ half a minute each day, till the shadow should
 “ imperceptibly point to the true hour. This ex-
 “ pedient was accordingly put in practice, and
 “ the town-clock had already lost *three quarters of*
 “ *an hour*; when an accident discovered the plot,
 “ and the magistrates were compelled to place the
 “ dial in the place in which it stood before, and
 “ to have the town-clock regulated by it as usual.
 “ Indeed long-established customs, however indif-
 “ ferent or ridiculous, are apt to lay so strong an
 “ hold on vulgar minds, as to become sometimes
 “ dangerous, always difficult to be altered;—I
 “ need not remind you how long it was before
 “ we could be persuaded in *England* to reckon our
 “ years according to the general mode of compu-
 “ tation received by the rest of *Europe*.”

Thus far Mr. *Coxe*—to whose last observation, I cannot forbear adding an anecdote of a certain pious old woman, who could not be persuaded, but that
 “ all our national troubles and misfortunes, which
 “ have befallen us since the year 1751, have been
 “ so many judgments upon us for striking *eleven*
 “ *days* out of the *kalendar*, and, by this means,
 “ having *fewer Sundays* than we had before.”

ducer

ducer may be found in what is called the *best companies* ; be treated with civility, and even respect ; while the *polygamist* is arrested for *felony*—sent to prison—tried before a court of criminal judicature—rendered infamous for life, and, thanks to the benefit of the clergy, that he is not dragged to a *gibbet*, and put to death !

The foundation of all this is, the *wisdom* of man exalting itself against the *wisdom* of GOD ; hence it is that men devise laws which are contrary to the law of GOD, and the opposition which *superstition* has taught us to make to *nature*, *reason*, and *scripture*, obtains the sanction of vulgar opinion on the side of falsehood and error. That *superstition* should lead men to reject the law of GOD, to *make void the commandments of GOD, through their traditions*, under a notion of greater *sanctity*, is not at all surprising, when the *pride* and *ignorance* of the human heart are duly considered. The instances which are recorded of it, concerning the *Pharisees* of old time, are written for our instruction and admonition : the severity with which CHRIST treated them on this account, ought to stand as a warning to us, lest we also *come into the same condemnation*.

Among

Among the various instances which we find of this in the New Testament, there is not a more striking one, nor one more illustrative of what I have been saying, than that which appears Mark vii. 9—14. where our LORD convicts the *Pharisees* of a rejection of the *fifth* commandment, in favour of a *superstition* of their own, which, though it had a better foundation than most of their *traditions*, with respect to the *act* itself (see 2 Kings xii. 9.) yet, as they abused it, it became a direct contrariety to the express and positive law of GOD. CHRIST tells them in plain terms as much, ver. 9. *Full well do ye reject the commandment of GOD, that you may keep your own traditions.* When *Jeboiada* the *high-priest* ordered a chest to receive the money, through *an hole in the lid*, which the *people* gave towards the repairs of the temple, he did *well*—and those who gave of their substance for this purpose did also *well*;—but when in after time these *gifts* were preferred before the relief of a *sick, necessitous, and aged parent*, whom the *fifth* commandment enjoined them to *honour*—with their substance doubtless, as well as in all other respects—then they did *ill*, by preferring the observance of an *human tradition*, before the express injunction of the *divine law*.

To appoint an *outward* means of recognizing a *marriage*, and not leave people to take *one another's words* (as the saying is) is very proper, and, in this mixed state of things, *necessary* for the good of the *whole*; but to put the ceremony in the place of God's *institution*—to declare a marriage *null and void* without it, to *all intents and purposes whatsoever*—to set the parties free from the obligation which they are under towards God and *each other* by the divine command—is as direct a breach of the command of God in this respect, as the *Pharisees* were guilty of in the *other*, and our LORD's reproof of the *Pharisees* equally belongs to us—we certainly *make void the law of God through our traditions, and teach for doctrines the commandments of men*.

There is no avoiding *superstition*, neither is there any deliverance from being led by it into thinking we do the *will of God*, when we are only doing the *will of man*, and that in contrariety to the *divine will*, while, like those of old, our *fear towards God is taught us by the precepts of men*. Is. xxix. 13. and while, like *dead fish* with the stream, we are carried down with the tide of vulgar error and popular opinion.—*Ye do err, not knowing the scripture*.—*Search the scripture*—was the advice of Him who *spake as never man spake*.
When

When we are wise enough to follow this counsel, worldly systems and human inventions may, and will suffer in our opinion, and we may be led to grieve at the folly and *superstition* which are to be found in them; but we shall be overpaid for any uneasiness of this sort, by the pleasure we must receive, in beholding the beauty, harmony, and order that are to be found in the word of God. We shall then see, that the misery and destruction of so many of our defenceless fellow-creatures, in the points before complained of, are owing to the rejection of that *divine* system of *justice, mercy, and truth*, which, if observed in all its parts, has so wisely and amply provided for their *protection and preservation*.

As *superstition* blinds the *conscience*, and misleads the *judgment*, so it *hardens the heart*, and renders it unimpressible by the calls of pity and compassion—*cruelty* will triumph over *mercy*, and the most horrid *barbarities* pass for the fruits of *heavenly zeal*—*The time cometh, when whosoever killeth you will think that he doeth God service*. John xvi. 2.

Tantum religio potuit suadere malorum!

VIRG.

Such dreadful ills from SUPERSTITION spring!

The history of *Popery* furnishes us with numberless examples of this: let the

... pardon for dis-
... point before us ;
... obtain, when
... a writer on su-
... mention of *Popery*,
... a *confluence* of every

... the scriptures
... their hands, and they are
... of their *priests* (who are
... *governors* * as themselves) for
... of their *creed*; this
... *human tradition*, and de-
... of the scripture, explained
... is the *church* pleases, and
... *any thing*, or *every thing*,
... may best serve the purposes
... and *priestcraft*, and maintain
... dominion over the un-
... and *consciences* of mankind.
... church of *England* has dis-
... herself for her moderation,
... to herself no absolute domi-
... over the *consciences*
... children. She withholds no part
... either from their *eyes* or
... the *Bible* into their hands, that
... search for themselves, and or-
... daily to read portions of
... people, that those who cannot

* See before p. 107, n.

read, may bear the things of God, and judge for themselves. She tells us plainly in her *Articles*, that, "Holy scripture containeth all things necessary to salvation, so that whatsoever is not read therein, nor may be proved thereby, is not to be required of any man that it should be believed as an article of faith, or be thought requisite or necessary to salvation." *Art. 6.*—And again, *Art. 20.* "The church hath authority to decree rites and ceremonies, and authority in matters of faith; and yet it is not lawful for the church to ordain any thing that is contrary to God's word written, neither may it so expound one place of scripture that it be repugnant to another. Wherefore, though the church be a witness and keeper of holy writ, yet, as it ought not to decree any thing against the same, so, besides the same, ought it not to enforce any thing to be believed for necessity of salvation."

A more unreserved *caveat* against *superstition* cannot easily be penned, nor is it in the power of language to form a more ample licence for *free-enquiry*; if therefore what has been said in the foregoing pages, should be a means of obviating the *first*, and this by promoting the *other*, I shall think myself well paid for the pains I have taken.

As to the *superstition* of imagining that a *church-service* makes the *marriage*, and that without it no *marriage* is valid or binding, or *lawful* before God, it is as unscriptural and absurd, as it is mischievous and ruinous to the *weaker sex*. There is not the least trace of such a thing either in the *Old* or *New Testaments*; marriage, with respect to itself, and as between the parties, stood entirely upon the simple institution of God, before *priests* or *service-books* existed; therefore nothing can be of the *essence* of it, but what God * appointed *at the beginning*. When, therefore,

* The institution of marriage may be found in those words, Gen. i. 28. *Be fruitful and multiply, and replenish the earth*. But that which constitutes it, as to the *matter* of it, in God's sight, is his own ordinance delivered by *Adam*, Gen. ii. 24. דָּבַק בְּאִשְׁתּוֹ וְהָיוּ לְבָשָׂר אֶחָד—*Et adhærebit in uxore sua, & erunt in carnem unam*. Mont.

Our translation—A man, &c. *shall cleave to his wife*—does not convey the idea of the Hebrew דָּבַק בְּאִשְׁתּוֹ—this is literally—*shall be joined, or cemented* (προσκολληθῆσεται, LXX.) *in his woman—and they shall become* (i. e. by this union) *one flesh*. This is the one, simple, divine ordinance, and the obligation resulting from it is *indissoluble*; wherefore, saith CHRIST—*what God hath joined together, let not man put asunder*. The same thing is expressed in other words, Deut. xxii. 29.—*She shall be his woman, or wife, as we call it, (la femme, Fr.) because he has humbled her—he may not put her away all his days*. Human laws or ceremonies can have no more effect on this, than upon the rising of the sun, or the flowing of the tide: these are not more fixed and unalterable than the other.

The

fore, it is said—*Isaac brought her into his mother's tent, and took Rebekah, and she became his wife.* (Gen. xxiv. 67.) and when *Laban took Leah* his daughter, and brought her to *Jacob*, and he went in unto her—and when *Laban gave him Rachel* his daughter to wife also, and he went in also unto *Rachel*—these women severally became the absolute unalienable property of their husbands; they became *one flesh* with them; and what God had thus joined together, no man could put asunder. Thus the matter stood on the simple ordinance of God; and thus, as in God's sight,

...The more I have searched the Scriptures, and examined this point, the more fully am I convinced, even to demonstration itself, that as God never appointed any other thing as the matter of baptism but water, poured or sprinkled on the body, in the name of the Holy Trinity, (for I do not mean to enter into the disputes about the meaning of *βαπτισμα*) so he never appointed any thing as the matter of that union, by which the man and woman become *one flesh*, but the *מִשְׁכַּב פֶּתַח*—or, as our canon-law phrases it, *carnal knowledge*; the very essence of which is expressed in the *Hebrew*, though perhaps our translators thought it more *decent* to render it as they have done, without giving us its true and usual import. The *παρρησια* of the LXX, and the *καρνηλικον* of the Vulgate, of Matt. xix. taken in connection with the *συναισθησις* of Paul, 1 Cor. vi. 16. (as has been before observed), amount to the same meaning, carry the same idea; if compared and interpreted by the Hebrew original.

fight, it must stand for ever. The *Jews*, and all other *nations*, have ever looked upon *marriage* as an occasion of festivity and rejoicing, and various rites and ceremonies have been invented upon the occasion; so there have been with respect to *baptism* and the *LORD's supper*: but these, like all other ordinances of God, stand just were they did, and owe their whole *importance* and *validity* to God's appointment, and are neither *added* to nor *diminished* in these respects by any rites or ceremonies which men have invented—to say otherwise is rank *superstition*.

Whether the primitive *Christians* had their marriages with each other solemnized by a *minister* of the church, is a disputed point among learned men. Mr.

As for betrothment, espousals, the payment of the *מזון* or dower, these were circumstantial, and right and proper, as far as outward order and decency were concerned, but these were not the *matter* of the marriage; for, not only as in the case of our *first parents*, but in many other instances in the scripture, *marriage was where these were not*.

Therefore to declare “a marriage (though consummated by carnal knowledge) *ipso facto* null and void to all intents and purposes whatsoever,” where some outward rite or ceremony of mere human invention is wanting, however it may operate in a *civil* view, can be of no effect in God's sight; otherwise the *matter* of the ordinance doth not consist in God's *appointment*, but men's *inventions*,

Selden,

Selden, in his *Ux. Heb.* 1. ii. c. 29. says, —“ it was *sometimes* so done, at the desire
“ of the contracting parties, but they
“ were under no obligation by law so to
“ do, nor did any general custom pre-
“ vail, so as to make it a general prac-
“ tice.”—However, whether this was so
or not, signifies not a rush, as there is
nothing in the word of God to warrant
it.

Archdeacon Reynolds, in his *Historical
Essay on the Government of the Church of
England*, helps us to find out how this
custom came into the *western churches*.
p. 70. “ Contracts of *marriage*, with all
“ its incidents, were long considered as
“ rights of *secular* concern, and in the
“ tenth century the laws of the empire
“ allowed the *validity* of *marriages* which
“ were made without *sacerdotal benediction*,
“ or the intervention of the *offices of the*
“ *church*. But in the twelfth century
“ *Peter Lombard* discovered the institu-
“ tion of *seven sacraments* in the mystical
“ expression of the *seven spirits of God*,
“ which he understood as an assurance of
“ the *seven-fold operation* of the Spirit in
“ *baptism*—the *supper of the LORD*—con-
“ *firmation*—*penance*—*orders*—*matrimony*
“ —and *extreme unction* ; and the church of
“ *Rome* soon countenanced his doctrine.

" This brought *marriage*, which was originally of *civil* jurisdiction, under *spiritual* cognizance." A little higher, the learned author observes—" The key to the contradictory provisions about marriage, was, that the court of *Rome* was desirous to have the scales of domestic peace in the *Pope's* hand, that the *legitimacy* of children, and the succession of families, should depend upon his favour, that *his business* might separate whom no man ought to put asunder, or perpetuate conjunctions which reason and religion forbid."

This was opposed by the *Albigenses**, those early reformers; who taught, that the consent of a willing couple, without the formality of *sacerdotal* benediction, made a *lawful* marriage.— This was the doctrine which they taught in the territory of the *Count of Thoulouse*, and propagated here about 1175.

* The *Albigenses* were a sect or party of reformers, about *Thoulouse* and *Albigois* in *Languedoc*, in the twelfth century, who distinguished themselves by their opposition to the discipline and ceremonies of the church of *Rome*. This drew down all manner of persecution and reproach;—the *Papists* charged them with heresy, and loaded them with all the calumnies that the most vindictive malice could invent—at last the storm fell so heavily upon them, that it ended in their destruction. See *Brough. Hist. Lib. Tit. Albigenses*.

The

The *Lollards** afterwards declaimed, against *celibacy*, the use of the *seven sacraments*, and laid it down as *sound doctrine*, that “if a man and woman came together with an intention to live in *wedlock*, this intention is sufficient, without passing through the forms of the church.”—This certainly was *sound doctrine*, because agreeable to the word of God; where no other ceremony appears to have intervened, in order to constitute a lawful marriage before God.

Mr. *Jacob*, in his *Law Dictionary*, tit. *Marriage*, observes, that “before the time of Pope *Innocent III.* there was no solemnization of marriage in the church; but the man came to the house where the woman inhabited, and led her home to his own house.

* The *Lollards* (of which appellation many definitions are given. See *Mosheim*, vol. i. p. 744. note u, ed. MacL.) arose in the fourteenth century, were charged with, “preaching openly many heresies, blasphemies, and scandalous defamings, quite contrary to the sacred canons and decrees of the holy fathers,” and were persecuted accordingly.—Pope *Boniface IX.* in his *Bull* against them (see *Fox*, vol. i. 574.) did not deign to call them *men*, but—“withered—carnal—damnable shadows and ghosts of men.” Their crime was, that they were zealous for the word of God, and opposed the lyes and superstitious of the day—among other things, the incoherencies of the *Pope* with regard to marriage.

“ which was all the ceremony then
“ used.”

The learned and accurate Judge *Blackstone*, Comm. vol. i. p. 439. Quarto Edit. observes, that—“ It is held to be essential
“ to a *marriage*, that it be performed by a
“ *person in orders*; though the intervention
“ of a *priest* to solemnize this contract is
“ merely *juris positivi*, and not *juris naturalis aut divini*: it being said that *Pope*
“ *Innocent* the *third* was the first who ordained the celebration of *marriage* in the
“ *church*, before which it was totally a
“ *civil* contract.” I do not cite these authorities to establish any *article of faith* upon the subject, but merely as historical facts, and to shew how far *superstition* must prevail among us, when it is seriously believed, that no obligation of *marriage* is lawful, binding, or valid, in the sight of God, that does not owe its *perfection* to a ceremony which never existed till the days of a *pope* of *Rome*, whose pride and ambition led him to ordain it. When once *Peter Lombard* had found out that marriage was a **sacrament*, the administration
of

* It is to be remarked, that when the church of *Rome* had turned marriage into a *sacrament*, the words by which one of the *real sacraments* was instituted, as to its administration, were to be borrowed in the solemnization

of it by the hands of a *priest* followed of course; the belief of its absolute *nullity*, without this, was gradually received by the *people*, grew into an *article of faith*, and *superstition* has continued it amongst us to this very hour. The *clergy*, by this means, became possessed of a fresh source of power and wealth; for, what with the fees, or *offerings* as they were more gently termed, for *marriage* itself, that is, for performing the *ceremony*, the publication of *banns*, *dispensations*, and *licences*, it has proved a sort of *philosopher's* * *stone*.

Still

solemnization of matrimony, and the *council of Trent* decreed, that "the *parish priest*, having interrogated the man and the woman, and heard their consent, shall say—"I join you in matrimony, *in the name of the Father, and of the Son, and of the Holy Ghost*." Comp. Matt. xxviii. 19. The *church of England* follows this *Papish* precedent very nearly; for the *minister, or priest*, is to say—"I pronounce that they be man and wife together, *in the name of the Father, and of the Son, and of the Holy Ghost*."

* *Soter*, the fifteenth bishop of *Rome*, at the end of the second century, before the name and authority of *Popes* were assumed, finding that appropriating marriage to the *priests*, promised no small revenue to the *clergy*, ordained, that no woman should be deemed a lawful wife, unless formally married by the *priest*. But this seems only to have been temporary, and was confined chiefly to *Rome*; other parts of the *Christian* world followed their ancient customs. We have seen how this was extended and improved

in after ages; and we may observe, that in all the instances of cunning and policy wherewith *churchmen* have wrought for the conversion, or rather *perversion* of Christianity into a worldly system, which could gratify their pride, satiate their ambition, and fill their coffers, few are to be found which have answered the purpose better, than turning marriage into a *sacrament*, throwing it entirely into the hands of *priests*, and laying it under the power and cognizance of ecclesiastical judges.

By these means, the church of Rome fastened an additional bond on the understanding and consciences of mankind, which gave rise to lucrative rites and ceremonies, dispensations, licences, and other modes of increasing the power and wealth of the church.

These were greatly enhanced by the introduction of *impediments*, which are not to be found in God's word, as well as of a power of *dispensing* with those that are positively enacted there; infomuch that Pope Martin V. gave a man leave to marry with his own sister, as is observed by *Angelus de Clavasio*, in a book called *Summa Angelica*, tit. *Pope*. Pope Pius IV. was for dispensing with the *prince of Spain*'s marrying with his own aunt. And we have lately seen, if I mistake not, the *Pope*'s dispensing with the marriage of the *king of Portugal* with his own niece. Yet they hold it unlawful for *godfathers* and *godmothers* to intermarry, either with the parents or the baptized, by reason of a certain *spiritual cognation* which is invented between them. So the kindred which doth arise by the *sacrament of confirmation*, (see *Brent*, *Counc. Trent.* 785.) but of no such thing, of no such relations, and, of course, of no such impediment, do we read in the scripture.

Had the simplicity of marriage been adhered to as found in the scripture, matrimony had never been worth a single *farthing* to the church; but as matters have been contrived by the church of Rome, and adopted in a great measure by *Protestants*, it may be said of the sums it has produced, as is said of *Solo-*

MON'S

MON'S broken vessels, Kings, &c. Neither was the weight of the cross laid out. A certain Recant, well exclaim,

Quantum profuit nobis hac tabula Christi!

One thing may be observed, which is, that in all the departures from God's word, either as to ritual or doctrinal matters, which have been made by the church of Rome, there is not one which does not stand in damages, as our lawyers speak, and which does not tend to diminish the charge. They have illudely acted on the principles of those philosophers, who hold, that the emptying of one vessel may possibly prove the filling of another, and they have found this so uniformly to answer the experiments which have been tried on the reciprocal connection between one man's pocket and another's purse, that what *Horace* has represented as the language of his day in *Hediben Rome*, is equally applicable to *Rome Christian*.

Quod vivas quærenda pecunia primum est,

Virtus post nummos.

Ye sons of Rome, let money first be sought, and *Virtue* is only worth a second thought.

As our *Protestant* church has thought fit to adopt some of these lucrative contrivances, so, among the rest, the business of marriage has, in its measure, not altogether been thought unworthy of its notice. Our account stands pretty much as follows, viz.

To publishing banns in the church, in most places, is one shilling.

To the accustomed duty to the priest and clerk, which is ordered to be laid upon the service book during the ceremony. This, in most places, is five shillings to the priest, and to the clerk two shillings and six pence, making together, inclusive of the banns, eight shillings and sixpence.

This mode of marriage by banns, which was the invention of *Pope Innocent III.* and ultimately fixed, with

... the Bishop's dispensation, by the *common*—usually falls to the share of the common
... of people.

... who move in an higher sphere usually marry
... which, by carrying *stamps* upon them,
... considerable branch of the public revenue;
... if to marry in a church or chapel, costs
... *pound nine shillings*, besides the above ac-
... duty to the *priest* and *clerk*, which on such
... is *doubled*, or turned into the better and
... lucrative article of—*what you please*.

If we go higher still, to the nobility, &c. who
... to marry in *private houses*, they purchase an
... for so doing, at the moderate price of *ten*
... *guineas*. *Priest* and *clerk* as before. In short—*Nil*
... *nisi cum pretio*.

For money bring the common scale
Of things by measure, weight, and tale,
In all th' affairs of church and state,
'Tis both the balance and the weight.

HUDIBRAS.

However, if all this related to a merely civil mat-
ter, and people are content to submit to it—very
well; but there is *mischief* lurking under all this fair
shew of decency and religious ceremony, which is
horrible to conceive—for, without these things, mar-
riages are declared to be *ipso facto null and void to all*
intents and purposes whatsoever, any law (even of GOD
Himself!) *to the contrary notwithstanding*.

The bond and obligation which arise *ex assensu &*
concubitu (but especially from the *latter*)—which are
the only scripture-ingredients of marriage, as or-
dained by JEHOVAH HIMSELF, as making the *et duo*
ut carna unum—the twain one flesh—are entirely set
aside; their living together is *criminal*, tho' GOD
has *sanctified* it; parting, and taking others, is
lawful, though GOD has forbidden it. What is the
legalizing such *divorces*, but *facere non peccatum de*
peccato—making that *not sinful* which is *so*? What
the stamping illegality and sin on such an union, but
facere

Still the *ordinance* of God was seen to be independent on all this, and to set it aside entirely, * was then too hard even for *Rome* itself (though we have lived to see it done in this enlightened age by a *British parliament*); therefore the laws of the *empire* held, as our *ecclesiastical* laws do to this day, that such a coming together on a previous contract, antecedently to the *ceremony*, was a marriage *de facto* §, or *in fact*, but not *de jure*, was not a *lawful* marriage, as to *civil* purposes, till the *priest* had executed that office which the *Pope* had assigned him, on the strength of *Peter Lombard's* monstrous interpretation of—"the *seven Spirits of God*."

In order to preserve and increase such an acquisition of power and wealth to the *church*, a stop was to be put to *private* † *contracts*, which could bring in nothing to.

facere peccatum de non peccato—making that *sinful* which is *not so*?—This, from the pen of a *Bellarmino*, as the prerogative of the *Popes* of *Rome*, is a justly-
abhorred blasphemy—this, enacted by a *British parliament*, is the law of a *Protestant* country!

* This was afterwards (anno 1563) completed by the *council of Trent*.

§ See before vol. i. p. 30.

† *Tertullian*, who lived in the *second century*, and who fell into the errors of *Montanus*, writes thus: *Penes nos, occultæ quoque conjunctiones, i. e. non prius apud ecclesiam professæ, juxta mæchiam judicari periculantur.* TERT. de Pudic. c. 4. "Among us, clandestine

with
the
or

the marriage the pub-
lic interest in the be-
haviour and also va-
lued as legitimate
parents, as they
came together *only* ac-
cording to God; one of
the principles of the rest.
The parents,
the children between them,
the church could cast over them,
the church was performing 'the
matrimony, and as soon
as united, the fruitful mother
brought forth a *lusty* infant under co-
nuptial *matrimony*." Reynolds, 71.
We should believe that this ridicu-
lous would make any difference, ei-
ther of the *parents*, or in that
before God, may also believe
a woman who come together

together, that is to say, such as
publicly professed before the church,
or being judged little better than
the learned *father* faith well—peries
—for no trace of such a thing is to be
seen. Thus early did that *mystery*
to work, which in after times made
out of ecclesiastical tyranny over the
people, by rendering the interposition of
the church necessary to *marriage*, as to its *va-*
obligation in the sight of God. Thus was
laid for the *desertion* and ruin of *seduced*
See before vol. i. 9, 10.

according

according to the ordinance of God, are the more man and wife in God's sight, after a priest has said mass, or red over a ceremony, than they were before.—both these opinions are equally abhorrent from the truth of the scripture, one being no more to be proved thereby than the other. The Popish council of Trent put the finishing stroke to the whole plan, by solemnly and piously cursing “all who should condemn the “benedictions and other ceremonies, or that “should deny matrimonial causes to be “long to ecclesiastical judges.”

We have now seen the birth, parentage, and education of marriage-ceremony, as depending on ecclesiastical establishment, and of men's taking upon themselves to interfere with the authority and validity of the divine ordinance of marriage, which simply consists in the union of the male and female, and God's pronouncing them one flesh; thus is God said to join them together, and therefore it is, that no want of a human ceremony can ever put them asunder. This is truly and properly the marriage-contract, or rather the very marriage itself.—betrothment may precede it; espousals may go before it; but whether they do or not, this is, as it ever was, and ever will be, marriage in the sight of God. All beyond this is matter of ceremony, de-

cency, and prudence; I do not pretend to dispute the* expediency of such things; they are, and may, and must be binding, as to the *dowries of wives*—the *legitimation* of children in a *civil* view—their *inheriting* estates and honours, and in such-like cases: but with respect to God's institution, it remains *as* and *where* it did, and so must remain, without any possibility of receiving the least alteration, or being at all subject to the disposal or inventions of *priestcraft* and *superstition*. Therefore it continues a truth indelibly written in the

* “ A clergyman, in performing a *marriage-ceremony*, does not confer any right or privilege on the parties which they had not before from nature; but only, in a public manner, witnesses and authenticates the public declaration they make, of having entered into a matrimonial agreement according to the laws and customs of the country. Thus, whether the ceremony be performed by a *clergyman*, or, as it formerly was, and still is, in many parts of the globe, by the *civil magistrate*, neither the act of the *clergyman* or *magistrate* convey any *right*, but enter on public record the recognizance of such parties entering, with mutual consent, on the exercise of a *right* which they have by nature:—as when an heir at law succeeds to an estate, the ceremonies customary in the country where he resides, at entering him *heir*, convey to him no new right to that estate, but only publicly declare, and manifest to his country, that he has entered on the use of that estate, by virtue of his inherent right as heir to it by nature.” See *Alexander*, Hist. Wom. vol. ii. 259.

oracles of God, that where parties come together under promise and intention of marriage, such promise and intention can never be retracted by the parties themselves, nor dissolved by any power on earth, without doing violence to the express and positive law of God. Nay I will go farther, and say, that though there be no promise or intention of marriage, yet if a man *entice a virgin*, or, without previous enticement, *meet with her* and HUMBLE HER, she shall for *that* reason be his wife; *he may not put her away all his days*. Comp. *Exod.* xxii. 16. *Deut.* xxii. 28, 29. Were these truths as indelibly received, written, and believed within the *conscience* as they ought to be—

“ So many of the *sex* would not, in vain,
“ Of faithless men, and broken vows, complain.”

A man would no more dare to *seduce a virgin*, and then abandon her, than he would dare to *murder* her; as he would be convinced that the *law* of God as really forbids the *former* as it does the *latter*. If these *holy* commandments were, as they ought to be, the law of the land, the *magistrate*, as in *Israel*, would have such power of *coërcion* in every case, as would render the designs of *villainy*, and the machinations of *treachery*, abortive.

Till

Till this happy time arrives, we may lament, but cannot remedy; the dreadful evils which attend *seduction* and *dereliction*; and, in the pathetic words of the *Predicator*, say—*So I returned, and considered all the oppressions that are done under the sun; and behold the tears of such as were oppressed, and they had no comforter; and on the side of the oppressor there was power; but they (the oppressed) had no comforter.* *Eccles. i. 1.*—As to the *superstition* which condemns *polygamy*, and persuades men to believe that our SAVIOUR called it *adultery*—as it is the parent of an error fatal to the *female sex*, inasmuch that if a man already married entices a *ruigin*, &c. he is to think himself bound to *abandon* her, contrary to the *positive command of God*—I must, in this place, say something more on that subject.

This species of *superstition* is like that which among the primitive *Christians* and *fathers* of the *church* was held in high esteem and veneration, and which reprobated “*second marriages* as little better than *adultery*,” without all foundation whatsoever from the *scripture*, when rightly understood. The *Old Testament* often mentions *polygamy*, but never, as

* The first instance recorded of *polygamy* is that of *Lamech*,

has been fully proved, with the least mark of disapprobation or disallowance—though often practised; and this openly and avowedly, by those whom the New Testament

Lamech, (see before; vol. i. 147, 153.) a cotemporary with *Adam*, and only *six* persons from him in a direct line (see Gen. iv. 17—19.) about 129 years after the creation of the world; a period too inconsiderable in point of time, considering the longevity of mankind in those days, to leave us the least room to imagine, that what had been pronounced by *Adam* on the subject of marriage, as recorded Gen. ii. 24. and by him doubtless delivered to his children, was either misunderstood or forgotten.

Le Clerc; on Gen. iv. 19. is far from condemning *Lamech*, as some have done—his words are, “Hinc
“ porro an primus πολυγαμῶ fuerit *Lamechus*
“ non satis constat; nec πολυγαμία eo initio magis
“ vituperari potuit, quam fratrum & sororum dam-
“ nantur matrimonia. Sive enim humani gene-
“ ris hoc postulaverit propagatio; seu earum, quas
“ duxit *Lamechus* alteri alius vir non fuerit, cui
“ collocaretur, mulieribus viros numero superan-
“ tibus; seu quæcunque alia fuerit causa in tanta
“ hominum raritate, *Moses*. quod multis post sæculis
“ gentis suæ factitarunt sanctissimi patriarchæ,
“ *Lamecho* vitio vertere non potuit.”

“ From hence it does not sufficiently appear,
“ whether *Lamech* was the first *polygamist*; nor
“ could *polygamy*, in that early time of the world, be
“ any more found fault with, than the marriage of
“ brothers and sisters be condemned. Whether the
“ propagation of the human kind might require this
“ —or one of the women whom *Lamech* married,
“ had no other man to whom she might be given
“ in marriage, the women then exceeding men in

Testament sets forth as examples of *faith and holiness* (Heb. vi. 12. Heb. xi. *throughout*, with Heb. xii. 1.) yet *never* in any one single instance condemned. Laws are made for its regulation, to establish the inheritableness of the issue, to prevent partiality in the disposal of the *polygamist's* effects among the children which he might have by *two wives*, and to forbid his *forsaking* or even *slighting* a *first* wife, if he took a *second* to her. The New Testament never mentions it at all, either as *good* or *bad*: therefore our laws against it, or opinions about it, can no more make it *sinful*, than the *silly* notions of the primitive *Christians* and *fathers*, could make it “little better than *adultery*” for a man to marry a *second* wife after the death of his *first*, or than the laws of *Rome* can make it *sinful* to deny *five* of *Peter Lombard's* seven sacraments, or in a priest to marry at all. It is not in the power of men to invent sins, and then charge them upon the consciences of their fellow-mortals to their condemnation before God:—the assum-

“ numbers—or whatever else might be the case in
 “ such a scarcity of men—*Moses* could not turn
 “ that into a *crime*, which the *most holy patriarchs*
 “ of his nation practised afterwards for many
 “ ages.”

ing this, is a part of that *spiritual wickedness in heavenly things* (Eph. vi. 12.) which has long distinguished the *mother of harlots and abominations of the earth*. Rev. xvii. 5. It may be looked upon as one striking evidence of the *Pope's* being the *man of sin*, described 2 Thess. ii. 3, 4. for it is *opposing and exalting himself above all that is called GOD, or that is worshipped; it is, as GOD, sitting in the temple of GOD, shewing himself that he is GOD.*—*How shall I curse whom GOD hath not cursed? Or how shall I defy whom the LORD hath not defied?*—was the saying of a man that *had his eyes open*. Numb. xxii. 31. xxiii. 8. xxiv. 4; but those whose eyes are *blinded by superstition*, or *fast closed by prejudice*, will take upon themselves to do what *Balaam*, daring and wicked as he was, would not presume to do. The answer which he gave to *Balak's* messengers, when they importuned him to come and curse *Israel*, was a good precedent for us to follow, whensoever we deliver our opinion on the *lawfulness or unlawfulness* of any actions of men, where conscience towards God is immediately concerned; and indeed it ought to be the language of all our laws, both of church and state—"If
Balak would give me his house full of

“ silver and gold, *I cannot go beyond the*
 “ *commandment of the LORD*, to do either
 “ good or bad of *my own mind*; but *what*
 “ *the LORD saith, that will I speak.*”

Compare *Numb.* xxii. 5; 6. with xxiv.

13. However, we are assured that the
curse causeless, shall not come. *Prov.* xxvi.

22. Therefore though a man should be
 burnt at a stake for denying *five* of the
Popish sacraments, and by us * be rec-
 koned

* I must confess that I hardly ever read over
 those words of the *Te Deum* without an heart-felt
 satisfaction—“ *We believe that Thou shalt come to be*
 “ *our judge.*” How strangely contradictory are
 the judgments of men on one another! how much
 under the power of error, caprice, prejudice, and
 resentment! The same man shall be *canonized* as a
 saint by some, and *curfed* as an heretic and apostate
 by others.

The canon of *St. Victor* calls *Luther* a false teach-
 er and an apostate, and him and his fellow-reform-
 ers—*heretical antichrists.*

The writings of the *Protestants* extol them as re-
 formers of the *Christian* church, and revivers of the
 great truths of the gospel.

The *Romanists* say, that *Luther* died suddenly in
 a drunken fit, and went to *hell*—some of them, that
 he was flown away with by the *devil*—A *cacodæmone*
sublatum fuisse asserunt.

Quirinus Cnoglerus has observed, in his *Lutheran*
Creed, that he had seen a little *German* book written
 in praise of *SAINT Martin Luther*, which contained
 at large the legend of this new *Saint*, canonized
 by the *Protestant* ministers in *Germany*, wherein
 were these words—

koned a *martyr* and a *saint*; or another
be *hanged* for having *two wives at a time*,
and be accounted a very *great sinner*; yet
the

IN VITA ÆTERNA,
CHRISTUS habet primas, habeas tibi PAULE secundas;
At loca post illos tertia, LUTHER habet.

IN LIFE ÆTERNAL,
CHRIST has the first, and PAUL the second place,
The third is justly by our LUTHER claim'd.
See Gen. Dict. Hist. and Crit,
vol. vii. p. 247, 259.

About *ten* years before *Luther's* death, he was taken very ill, insomuch that his life was despaired of. The *Papists* not only gave out that he *was dead*, but actually published the following curious account of his *death*; which, for the entertainment of the *reader*, and as a sample of *Romish* veracity, I will here transcribe.

“ A horrible and unheard-of miracle, which
“ God, evermore to be praised, hath, in the
“ filthy death of *Martin Luther*, damned *body*
“ and *soul*, been pleased to shew for the glory
“ of JESUS CHRIST, and towards the amend-
“ ment and comfort of the *godly*.

“ When *Martin Luther* was taken sick, he de-
“ sired the body of our LORD to be communicated
“ unto him; which having received, he soon af-
“ ter *died*. When he found the end of his life
“ drawing on, he desired that they would lay his
“ corpse upon an altar, and that paying thereto
“ divine honours, they should worship it. But
“ God at last, to put a period to his horrible
“ errors, admonished the people by a mighty mi-
“ racle to abstain from that impiety, which the
“ said *Luther* had brought in: for his body being
“ laid into the grave, there arose such a sudden
“ tumult

the curse of the *Papists* could not injure the *first*, nor the bad opinion of *Papists* and *Protestants* united, in the least affect the *second*. Both would fall by the hand of *superstition*—both testify the horrors of its ascendancy over the minds of men—*both stand or fall to his own master*. Rom. xiv. 4.

On

“tumult, horror, and earthquake, as if the foundations of the world had been shook, so that all that were at the funeral were struck with amazement. But lifting up their eyes, they saw the *holy host* hanging in the air” [*this you must suppose to be the host he received lately, which would not vouchsafe to remain in such a vile heretic’s body.*] “Therefore, with great devotion of mind, they took the most *holy host*, and laid it up in a sacred place; which being done, the hellish clatter ceased to be heard; but the night following, there was a more frightful noise about *Luther’s* tomb than before, which raised the whole city, astonished and half dead with fear: therefore in the morning they opened the grave, in which the detestable body of *Luther* was laid, but found therein neither body nor bones, nor any of the cloaths, but a hellish stench of brimstone coming out of the grave, that almost choked all that came near it. With which miracle very many being affrighted, have amended their lives, to the honour of the Christian faith, and glory of *Jesus Christ*.”

This curious writing, with *Luther’s* answer to it, is to be found in *Lonicerus’s Theatrum Historicum*, fol. 246. and in *Hist. of Popery*, vol. ii. p. 316.

After considering these, and many other instances which might be given, who, that values the peace

On the contrary, let us remember, that there is a *curse* which is *not causeless*, and therefore *will come*—no *canons* either of the ancient or modern *christians*—no human laws, inventions, customs, or opinions will keep it off, or soften its rigour; for it is written in the New Testament as well as in the Old Testament—*Cursed is every one that continueth not in ALL things which are written in THE BOOK OF THE LAW to do them.* The man who takes a *virgin* into his *possession*,

peace of his own mind, would trouble himself, where *truth* is concerned, a single instant about the suffrages of ignorant mortals, either one way or the other?—Well said *Paul*—*With me it is a very small thing* (ἐλαχίστον—the smallest—least—either in itself, or in my concern about it) *to be judged of you or of man's judgment—but he that judgeth me is the LORD.* 1 Cor. iv. 3, 4. That same LORD will judge us—therefore, *to know his will, and to do it*, should supersede all other concerns whatsoever. Then I believe it will trouble us, as little as it now troubles honest *Luther* and his fellow-labourers, whether our fellow mortals *curse* or *canonize* us.—As to the suffrages of men—

*All your Philosophers agree,
And prove it plain, that one may be
A heretic, or true believer,
On this or t'other side a river.*

PRIOR'S Alma, Canto II.

Making human opinion the standard of *truth*, is like making the *cameleon* a standard of colour.

and then forsakes and abandons her, let his own situation be what it may (the *law* makes no difference) will find, that nothing can vacate the obligation of the *divine commands*, Exod. xxii. 16. (comp. Deut. xxii. 28, 29.) which declare that *he shall SURELY endow her to be his wife*. The words מוֹהַר יִמְהַרְנָה are an emphatical reduplication—dotando dotabit—*endowing he shall endow her*—which expresses the positive certainty that it *shall* and *must* be so: like Gen. ii. 17. מוֹת תָּמוּת—moriendo morieris—*dying thou shalt die*; which we, according to our idiom, well translate—*thou shalt surely die*. We may give much the same reason for the reduplication of the words in these passages, as *Joseph* gave for the doubling *Pharaoh's* dream, Gen. xli. 32.—*For that the dream was doubled unto Pharaoh twice, it is BECAUSE THE THING IS ESTABLISHED BY GOD, and God will shortly bring it to pass*. Equally plain and certain, and even more explicit, is that of Deut. xxii. 29. *First*, we have the *command itself*—*She shall be his wife*: *Secondly*, the *reason*—*Because he hath humbled her*: *Thirdly*, the *indissolubility* of the positive obligation arising therefrom—*He may not put her away all his days*. To reconcile these things, which are written in
the

the law, with our opinions and systems of matrimony, is impossible ; these laws are evidently explanatory of the *primary law* of marriage, ours contradictory thereto ; for no contradiction can be more apparent, than that which arises between a law, commanding marriage on the simple terms of the original institution—*because he has humbled her*—and thus become *one flesh*—and a law prohibiting marriage but on complicated terms of human invention, and even making *void, to all intents and purposes whatsoever*, the obligation which results *merely* from the *divine command*. When we farther consider this to be the case, in a country where the people profess a belief of the *Bible*, and who read these laws over in the public congregations of the *established church* once in every year, we surely ought to lament the reign of *superstition* in the consciences of men, who pray to God *to write His laws in their hearts*, and yet contentedly live under and embrace a system as opposite to those laws, as light to darkness. How can we cast a stone at the *Papists*, for striking the *second* commandment out of the *Decalogue*, while we ourselves strike these commandments out of the *book of the law* ? May not they say to us—

Ye hypocrites, first cast the beams out of your own eyes, and then shall ye see clearly to pull out the motes which are in our eyes?

By these laws no man can take a virgin, and then abandon her; by our laws a man may take an hundred, and abandon them all:—By the *first*, therefore, *prostitution* is impossible—by the *second* it is a natural consequence; for by the *one* it never can happen, by the other it *does*, and *must* happen every day.

Hence it follows, that the seduction of *virgins* by *single men*, who afterwards *put them away* because they *will not* marry them publicly—and by *married men*, who *cannot* if they *would*—may be looked upon as the two flood-gates of *female* ruin and misery: nothing can ever put a stop to their destructive *deluge*, but the abrogation of *superstitious* laws and customs, and the restoration of the *divine plan* of security and protection, which is so clearly revealed, so positively commanded, by the *God of heaven*.

Perhaps some will be ready to say, that, “if virgins will deliver up their persons to men without the ceremony, first past, but more especially to married men, where they know the ceremony cannot pass, do they not deserve to suffer?” Reader, if thou hast found this

this *severe* question presenting itself to thine imagination, as, if thou art one of those who *are wise in their own eyes, and prudent in their own sight* (Is. v. 21.) trusting in *thyself that thou art righteous, &c.* (Luke xviii. 9.) it may have done more than once, in the perusal of these pages—let me advise thee to lay down *my* book, and take up a *better*; turn to *John* viii. 3. and read attentively to ver. 12.—consider deeply that short history which is recorded there, weigh well the circumstances, mark the characters, apply what is said ver. 7. to thyself, and if thou findest thyself inclinable to *retire* with those *Scribes* and *Pharisees*, leaving the objects of thy contempt and bitter scorn to the mercies, the tender mercies of the God who made them, knowing that thou thyself art also in the same *condemnation*—well: if otherwise, let me ask thee—*Is thine eye evil because God is good?* (Matt. xx. 15.) If He *who knoweth whereof we are made* hath graciously provided against the sad and ruinous consequences of human frailty, even as to this world, by enacting positive laws in order to prevent them, where they must fall the heaviest, and of course most need prevention, is it for thee to find fault with so gracious a dispensation,

tion, not considering that thou thyself art a monument of the like mercy? For if God had said concerning thee, what I suppose thee to have been saying concerning others; had He made no provision in His providence that thou mightest escape the consequences of thine own frailty, where hadst thou now been?—not censuring and condemning others, but thyself condemned to irretrievable misery, involved in inextricable ruin!—Make not then thyself *wiser* and *holier* than God; but lament the ravages of lust, seduction, and prostitution; *let thine eyes* (like the *Psalmist's*) *gush out with water, because men keep not God's law*, Pf. cxix. 136. Prayer-Book translation.

I say not this as allowing it possible for human laws customs, and opinions, to make any thing sinful, which God's law hath not made so; *sin is the transgression of the law—where there is no law there is no transgression—nor is sin imputed where there is no law*. Thus speak the scriptures, as we have before observed; but if *superstition binds heavy burdens, and grievous to be borne, and lays them upon men's shoulders, the conscience must groan under the pressure, till the weary and heavy laden are released, by the friendly and beneficent hand of divine truth*. To
say

say that a *virgin*, who delivers herself into the possession of the man of her choice, with an intent to become *his wife*, sins in so doing, unless an *outward ceremony* of man's device be first performed, is to say what the *Bible* has nowhere said: all that God says in such a case is, that they shall be *one flesh*, and that *she shall be the man's wife—he may not put her away all his days*. So that all contrivances which hinder the operation of this law, are not only so many snares laid for the *conscience*, which may enthrall and bring it into subjection to the pride and arrogance of man, but are big with every mischief which the DIVINE LAW was enacted to prevent.

The infamy, which, by this means, is stamped on such an *act*, has occasioned the murder of as many infants by the hands of their mothers, in this *Christian* country, as were probably sacrificed to *Moloch* in the same space of territory, by the hands of the heathen priests.

If, in consonance with the DIVINE LAW, such an *act* was deemed to create an *indissoluble union* between the parties, and the *public recognition* of it was to be enforced in every instance, as under the law of *Moses*, this mark of *infamy* would be removed, and, together with it, one
of

of the most horrid of all temptations to one of the most unnatural and dreadful of all crimes.

When *Tamar* is arguing with the incestuous *Amnon* against his unhallowed attempt upon her chastity (2 Sam. xiii.) she might well say—"And I, whither shall I cause my shame to go?" for such an act was directly against the positive law of GOD, Lev. xviii. 9.—but where is the authority from scripture to stamp the infamy of *whoredom* on the exercise of that right, with which every woman is invested by the GOD of nature, for the propagation and continuance of the human species; I mean, that of bestowing her * person on the man of her choice?

* To say—"This is *sinful* before the ceremony, but *lawful* after the ceremony," is to attribute a sort of power of *moral transubstantiation*, either to the priest, or to the ceremony, or to both: not very unlike that power in the church of Rome, of changing one substance into another. To imagine, that, that which is *evil* can become *good* by any invention or power in man, is not less absurd, than to suppose, that a little flour and water becoming a *wafer* by the art of the baker, can become the body, flesh, and bones of a man by the art of a priest. See before, vol. i. 45—47. vol. ii. 156, 157, 158. n. Consider the work of GOD, saith the Preacher, for who can make that STRAIGHT which He hath made CROOKED?—i. e. that GOOD which He hath made EVIL, or that EVIL which He hath made GOOD? Eccl. vii. 13. with Eccl. i. 15.

Having

Having once done this, if she goes to another (living the first) she is **זנאפה**—an *adulteress*; if she falls into the practice of promiscuous intercourse, going from one man to another, as lust, or gain, or hire, may prompt, she is an *harlot*, or *whore*, in the true sense of the word **זונה** or **πορνή**, and under the law would have been put to death—but in the other case, we have no more SCRIPTURE AUTHORITY to call her an *whore*, or to stamp the least *infamy* upon her, than the pious people at *Bordeaux* had for *stoning* a certain young lady of quality to death, for being suspected to have *fasted* on a *Sunday*. See *Comm. on Essay on Crimes and Punishments*, chap. iii. All these things originated from the ambition and avarice of the *clergy* in the middle ages; who, to lay the rest of the world under contribution in the business of marriage, as well as in many other particulars, made it into a SACRAMENT, obscured the real nature and essence of it, and wrested it out of the hands of the *civil power*, as to the *outward* and *public* recognition of it, to secure it to themselves; after which a man and woman could not marry but for the emolument of the church. A new-married

married couple were not suffered to cohabit for a given time, unless they paid the church for a dispensation, nay, a man was not allowed *christian* burial, unless he bequeathed something to the church.—In short, a man “ could neither come into “ the world, continue in it, nor go out “ of it,” as a late writer has well observed, “ without being laid under contribution by the clergy.” See *Alex. Hist. of Women*, vol. ii. 259.

Were our laws what they ought to be, were they founded on the basis of the DIVINE LAW, they would come in aid of *female distress*; they would rescue the poor deserted object of the man’s ingratitude and barbarity, from that unauthorized *reproach*, which is found so fatally intolerable by the weakness of the *female mind*; and lay the whole infamy and inconvenience, whatever these might be, on the guilty betrayer of an undeserved affection.

I have before said something on Deut. xxii. 21; but on farther consideration of that passage, am convinced that the woman who is said to *play the whore in her father’s house*, cannot mean that her crime consisted in giving her person to a man, without a marriage-ceremony red
over

over her by a *priest*—for no such thing existed in *Israel* as the interference of *priests* in marriage—nor was there any *religious* ceremony whatsoever upon the occasion—the only thing which looks like an *outward* ceremony, is the payment of the *מָהַר* or *dower*, into the hands of the father of the *virgin*—but even the *want* of this ceremony did not annul the marriage; or render the woman *criminal*, as appears from the case of the *seduced virgin*, Exod, xxii. 16. who is not commanded to be *put to death*, as the woman is in the other case, and as every *whore* of the daughters of *Israel* was. Therefore, in order to render the scripture consistent with itself, we must suppose that the woman was a *betrothed virgin*, who, between her betrothment and her marriage with the man *who found her not a maid*, had given her person to *another*; this in deceit of both—concealing her *betrothment* from the one, and her *defilement* from the other—thus *playing the whore*, and subjecting herself to the law concerning *betrothed damsels*; who, if they suffered themselves to be violated, were to be *stoned to death*, (comp. ver. 23, 24.) where the man that *lay with her* was also to suffer the same punishment—

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ment—but as the man is not mentioned in this light, ver. 21. we must suppose that he was *deceived*, and had done it ignorantly, therefore innocently; for with regard to capital punishment, *nemo est reus nisi mens sit rea*. It is to be remarked, in support of the above interpretation, that the *virgins*, Exod. xxii. 16. and Deut. xxii. 28. have the addition of *not betrothed*.

Since I wrote the above, I have looked into Bishop *Patrick*, and am not a little satisfied with the interpretation above given of Deut. xxii. 21. as I find it so exactly harmonizes with the sentiments of that learned prelate. His comment is as follows—

“ *And the men of her city shall stone her*
 “ *with stones till she die.*] This was
 “ the punishment of such *adulteresses*, ex-
 “ cept only of a *priest's* daughter, who,
 “ if she was guilty of this crime, was
 “ *burnt alive*, Lev. xxi. 9. — and it
 “ plainly shews he speaks here of a wo-
 “ man corrupted between the time of
 “ her espousals, and her husband's com-
 “ pleting the marriage; otherwise he
 “ could not have had this capital action
 “ against her, &c. And this *Maimonides*
 “ saith in *Seder Zeraim*, that from *Moses*
 “ to

“ to his time, it was never doubted the
 “ woman he here speaks of was one that
 “ proved false to her husband, *after she*
 “ *was contracted to him.*”

The Bishop, in one part of his note, seems to call it “ *simple fornication,*” if the virgin was entirely single and disengaged ; which proves how prejudice will affect the minds even of learned and judicious persons ; for *fornication*, or *whoredom*, —וְזָנָה—whether *simple* or *compound*, was *death* to the woman who was guilty of it ; which is a conclusive proof, that the *virgins* mentioned Exod. xxii. 16. and Deut. xxii. 28, 29. were not guilty of either, and, of course, that none under the same predicament ought to be infamously styled *whores*, and driven to the desperation of destroying themselves or their children, or both, or be driven out of all civil society, to be vagabonds on the face of the earth ; but they should be invested, by the laws of the land, with the undoubted right with which the laws of God invest them, and thus preserved to their *friends*, the *public*, and *themselves*.

As for *conscience*, or that faculty of *judging* and *determining* on our own actions, and thus *excusing* or *accusing* our-

selves, *Rom. ii. 15.*—it is a sort of *judge*, on whose determinations the happiness or misery of the human mind must greatly depend, not only with respect to this world, but with respect also to that which is to come—*For if our heart condemn us, God is greater than our heart, and knoweth all things—if our heart condemn us not, then have we confidence towards God.* 1 John iii. 20, 21.—Of what serious importance must it then be, that the decisions and determinations of this awful tribunal should be founded on the clearest and most incontrovertible evidence? In this respect it may be said to have an advantage over all other courts of judicature which we are acquainted with, and that is, in having access to testimony which cannot lye nor deceive, to RECORDS OF ETERNAL TRUTH, delivered to us, as it were, under the *seal* of HEAVEN ITSELF. Now let us suppose a *judge* seated on the bench—a criminal at the bar—the jury sworn—the witnesses on both sides sworn and prepared to give their testimony—his *Lordship* stops all proceedings with—“Gentlemen, I will
 “proceed no farther, I will have none
 “of these witnesses examined; the case
 “of the *prisoner* at the bar is sufficiently
 “related

“ related in an article of such a *news-*
 “ *paper*, clearly stated in such a *pamphlet*,
 “ and you must acquit or condemn him
 “ according to these.”—I believe the
judge who could act thus, would be
 deemed very unfit to be entrusted with
 the lives and properties of his fellow-
 subjects.—In this *judge* we see a lively
 emblem of a mistaken, mis-led, blinded
conscience, which suffers itself to decide
 on the *lawfulness* or *unlawfulness* of any
 thing before GOD, and in His sight, from
 the maxims, prejudices, laws, customs,
 and vulgar errors of fallible men, and not
 from the infallible *written* testimony of
 GOD’S most HOLY WORD—*It is the SPI-*
RIT that beareth witness, because the SPI-
RIT is truth. 1 John v. 6. The not be-
 ing possessed of this authentic testimony
 of the mind and will of GOD, or not ad-
 verting to it, so as to make it the *one*
 rule of our judgment, in matters pertain-
 ing to the *conscience*, puts the blind *Hea-*
then and the ignorant *Christian* upon a
 level. We are told in history, that when
 the *Carthaginians* were defeated by *Ag-*
athocles, tyrant of *Sicily*, they imputed
 their misfortune to the anger of *Saturn*,
 who was one of their tutelal deities, and

this anger they imagined to have arisen from a neglect which they had been guilty of towards Him, with regard to the sacrifices which were offered him. In antient times it was usual to sacrifice children of the most noble families to him, but for some years past, in these sacrifices, they had substituted children of mean extraction, secretly bought and bred up for that purpose, in the room of those nobly born. This they now considered as a departure from the religion of their forefathers, and consequently were conscious of having given their Deity just cause of offence. To expiate the guilt of so *horrid* an *impiety*, a sacrifice of 200 children of the first rank was made to the bloody God; and above 300 other persons, in a sense of their dreadful neglect, voluntarily offered themselves as victims, to pacify, by the effusion of their blood, the wrath of this Deity. See Univ. Hist. vol. xvii. p. 447, 448. Such were the determinations of *conscience* when without revelation.

When we consider the behaviour of the *Portuguese*, which we have seen mentioned before, (p. 141.) or reflect on the rivers of *Protestant* blood which were poured forth
at

at * *Paris* in 1572, * or in *Ireland* in 1641, by the hands of the *Papists*—and all for conscience sake—we have but to compare the

** On the 24th of *August*, 1572, at *Paris*, were massacred, in the dead of the night, not less than 25,000 *Huguenots*. For this execrable action Pope Gregory XIII. ordered a public thanksgiving, and sent a legate to Charles IX. to intreat him to continue it. On *October* 23, 1641, about 100,000 *Protestants* were either burnt or buried alive, drowned, or ripped open, &c. by the *Papists* in *Ireland*. See *Sir John Parsons's History of the Massacre*, taken from examinations upon oath.

Before this, in the *Low Countries*, from the first edict of *Charles V.* anno 1530, to the year 1558 inclusive, there were hanged, beheaded, buried alive, or burned, 50,000 persons, besides the multitudes put to death in *France*. See *Brent Counc. Trent.* 413.

Six hundred of the *Albigenses* were put to death in one day by *Philippus Augustus*—and the *Waldenses* smothered in the caves whither they fled to hide themselves. *Ib.* 414.

These are but a small part of the cruelties of that bloody superstition of that mother of harlots and abominations of the earth—*Rev.* xvii. 5.—of whom we may truly say, in the language of the Poet,

*Tristius haud ILLA monstrum, nec scævior ulla
Pestis & ira Deum Stygiis sese extulit undis.*

VIRG. ÆN. iii. l. 214, 215.

A heavier scourge was ne'er design'd,
By HELL ITSELF, to plague mankind.

In short, had *Satan* gone to *Rome*, and summoned a conclave of seven spirits more wicked than himself to his assistance, they could not have devised a plan more subversive of the gospel, more opposite to the scripture,

the *Christian* who does not advert to his *Bible*, with the *Cartbaginian* who had no *Bible*, and we shall find a like cause producing like effects, though certainly the one is more inexcusable than the other. Yet in both cases it must be said—*A deceived heart hath turned him aside, that he cannot deliver his soul, nor say, Is there not a lye in my right hand?* Is. xlv. 20.

scripture, more destructive of the liberties, lives, and properties of mankind, than that *superstition*, which has *blasphemously* dignified itself with the appellation of the HOLY APOSTOLICAL CATHOLIC FAITH.

The scourge and curse it has been to this country, made our *ancestors*, at the glorious *revolution*, frame laws for it's total exclusion; we, their children, are beginning to repeal those laws, under a notion of favouring *religious liberty*, and that *Popery* is not now what it was formerly; but let such *Patriots* go to the *Tower*, and order one of the *lions* to be let out of his den upon him, and he will find how little change of nature has been wrought in the animal by his confinement. I suppose there is hardly an instance upon record of the craftiness of *Popery*, which transcends that of persuading people to believe things to be true, which the evidence of all experience, and of even their own senses, declares to be false. If *Popery* appears to be different from what it was, this proceeds not from any alteration in the thing itself; but from want of power to exert it's intolerant spirit. However, as CONGREVE's *Maskewell* says—"Qui vult decipi decipiatur."—"If we will not hear the serpent hiss, we must be stung into repentance."

For

For my own part, I am perfectly convinced, that there is nothing so absurd, so wicked, or so foolish, which the human mind is not capable of being persuaded of; in religious matters especially, when once it delivers itself up to the dictates of *superstition*; for saying this I appeal to those *histories* of the globe which have accurately set forth the various religions, manners, customs, opinions, and laws of its inhabitants. There is one use to be made of these things, which is, to be thankful to the *Bestower of every good gift*, who is the *Fountain of all Wisdom*, that He hath been graciously pleased to cast our lot under the illumination of the *holy scriptures*; that He hath given us His *word, which is truth*, to guide us *into all truth*. This should awaken in us a jealousy over ourselves—knowing the liability of the human mind to be deceived—which should lead us to try and examine whatever is objected to our belief, or recommended to our practice, by the unerring rule of God's revelation.

Could this have been done at *Carthage*, no children had been sacrificed to *Saturn*—*had* this been done by the *Papists* in *France* and *Ireland*, no massacres of *Protestants* had disgraced the *Christian* name—
—and

—and were it now done amongst us as it ought to be, no *brothels* would teem with harlots—no streets swarm with *prostitutes*—no *wretched infants* be *butchered* by the hands of their *more wretched mothers*;—the honour of the *married wife* would be secured, the ruin of the seduced *virgin* be prevented. *Adultery* and *whoredom* would no longer dare to face the light, but be consigned to those realms of darkness from whence they came. On the other hand, while we are taught to believe that *sinful* which God has commanded—that *lawful* which God has forbidden, we are as fatally under the power of *superstition*, not only as the *Papists*, but as the very *Heathen* themselves; nothing can really and truly distinguish us from *either*, but an unreserved adherence to those *commandments*, which in so many instances we have *made of none effect* by our *traditions*.

When we lay *no obligation* on the man who seduces a *virgin*, to marry her, we *make void the law* of God, which positively declares He *shall*—when we *permit the man to put her away*, and deprive her of that recourse to justice which the law of God affords her, we vacate the *divine law*—when, in the case of a man already *married*,

married, we divorce a *virgin*, which he has seduced, entirely from him, forbidding him (and this under pain of death, 1 Jac. chap. 11.) to do her *that* justice which the *divine law* as positively commands, as in the case of a *single man*—we *command* what God *forbids*, and *forbid* what God *commands*.

In short, our *superstition* and the *superstition* of *Rome* go hand in hand; and, however we may be shocked at that monstrous position, which is mentioned by the Reverend *Mr. Porteous*, in his masterly and excellent *sermon on Toleration* (lately preached and published in *Scotland*, on account of the *Popish bill*) that “If the Pope was to command a thing to be done, and *Jesus Christ* was to forbid it, yet the *Pope* must be obeyed”—this is not more really horrid, in *sense*, though perhaps it may in *sound*, than saying—where *human laws* command things which are inconsistent with or opposite to the law of God, yet they are to be obeyed. Few would be so daring as to *say* this, but it is practically declared throughout our whole system, as relative to the *commerce of the sexes*.

As to *polygamy*—which is certainly one *link* in the *chain* of God’s dispensations,
as

as so absolutely necessary to prevent, in many cases, the *desertion and prostitution* of women, as well as to preserve *men* from vice and profligacy, under various circumstances of unavoidable difficulties and temptations, which *necessary* separation may render them liable to (see before, vol. i. p. 181—2.) the causes of which may fall short of being grounds for utter divorce—it is, considered in itself, one of the last things which a man should think of, who wishes and aims at the happiness of a domestic life. — The weight and burden of a double * family, the

* This indeed is an objection which arises from the state of *luxury* into which we are fallen; for their plurality of wives was far from being either a charge, or an incumbrance, to the *Jews* of old time, considering their *simple* way of living. The domestic affairs were the province of the women, whilst that of the husband was the business of the *fields* and *vineyards*. Dressing of victuals, the care of the children, spinning, carding, weaving, and the like, are often mentioned in the sacred books as the occupation of women; whilst their husbands chose the more laborious works. See Univ. Hist. vol. iii. p. 146. A great number of children was esteemed, not a *burden*, but a peculiar *blessing*. See Ps. cxxvii. 3, 4, 5; and, where industry prevails throughout, children may be as truly looked upon as the riches of a *family*, as the numbers of industrious people are as the riches of a state. The more working bees there are, the richer the hive.

distractions which most probably *must* be the effect of jealousy between the women, each envying the other her share in the husband's affections, must be productive of disputes, quarrels, and perpetual disquiet. We see this to have been the case even among the best people, who were *polygamists*.—What were *Abraham's* trials, which arose from his connection with *Hagar*?—What those of *Jacob*, from the jealousy and discontent of *Leah* and *Rachel*? So *Elkanah* suffered not a little at the treatment which his favourite *Hannah* received from her rival *Peninnah*—and indeed it is so much in the nature of things, that matters should fall out alike in all times, where there are the same *causes* to produce the same *effects*, that one should imagine most men, who consulted the peace, quiet, and comfort of * themselves and families, would subscribe to *Horace's*

Felices

* I would not press this argument too far, lest it prove too much; for, to say truth, how few *happy* marriages do we see in the world? but how many very *unhappy* ones have arisen from *second marriages*? Where the wife has died, leaving a family of children, and the husband has married again, either to a *widow* having children of her own, or to a *single woman* who brings a *second brood*,
what

*Felices ter & amplius
Quos irrupta tenet copula ; nec malis
Divulsus querimoniis,
Suprema citius solvet amor die.*

Thrice happy they, in pure delights,
Whom love with mutual bonds unites ;
Unbroken by complaints or strife,
Ev'n to the latest hours of life.

FRANCIS.

It is most readily to be allowed, that such people can have nothing to do with the subject

what miseries have arisen to the husband and his children by a former wife, through the jealousy and envy of the mother-in-law with respect to her own offspring ? Yet all this has nothing to do with the *lawfulness* or *unlawfulness* of the matter itself. Nor is it fair to conclude against what is *essential*, from that which is *accidental*—it is certainly *possible* that *one wife* may make a man's life completely miserable, if she be such an one as *Solomon* mentions, *Prov.* xxi. 19. and xxv. 24.—it is also *possible* that a man might be very happy with *more than one*, if each be like what the same divine *penman* describes, *Prov.* xxxi. 10. &c. Yet, in either case, marriage, as *to itself*, stands just as it did, and is, *in itself*, just what the word of GOD makes it. We can only say, that, in the present corrupted and distracted state of things, all conditions of life have their inconveniences and distresses : those usually feel the most of them, whose connections in the world are most extensive.

The late excellent *Dr. Hartley of Bath*, in his *Observations on Man*, p. 230. on the question whether

subject of *polygamy*. The expediency or inexpediency of a thing, and its lawfulness or unlawfulness, are, however, very different considerations; *all things are lawful for me*, saith the *Apostle* (1 Cor. vi. 12. x. 23.) *but all things are not expedient*.—The *inexpediency* of *polygamy* in most cases is self-evident, but in *no* case can its *unlawfulness* be made to appear from the *law of God*;—as to the *law of man*, it can no more make it *sinful*, than it can make *marriage* itself *sinful*. A *clerk* who married in the reign of Hen. VIII. when this was made *felony without benefit of clergy*, was no more a *sinner* in the sight of God, than the *clerk* who married in the reign of Edw. VI. when the marriages of *priests* were declared to be as

whether “the confining *one* man to *one* woman during life (except in the case of the woman’s *adultery*) be calculated to produce the greatest possible good, public and private?” “Here” (saith he) “we must own ourselves utterly unable to form any exact judgment. It is impossible to determine by any computation, which, in all the ways in which marriage has been or may be regulated, is most conducive to happiness upon the whole. This would be too wide a field, and where also we could have no fixed points to guide us:—here therefore we seem particularly to want a *revelation* to direct us, and therefore are under a *particular* obligation to *abide by its award*.”

lawful

lawful as those of other men. So a man who has *two wives* is no more a *sinner* now, than he would have been in the days of the *Patriarchs*; or of the *Jewish theocracy*—GOD'S law was the rule of conscience *then*, and no other ought to be so now; men can no more *make sins*, than they can *forgive sins*—THE LORD is our judge—THE LORD is our lawgiver—THE LORD is our king. *Is. xxxiii. 22.* Every attempt, therefore, to make things *sinful* which HIS LAW hath *not* made so, however it may appear under the specious guise of *piety* and *purity*, and be recommended to our belief and practice by the teaching and example of *men like ourselves*, it is no other than *Satan transformed into an angel of light*, and availing himself of the weakness and *superstition* of the human mind, to make us *believe a lye*.

In some cases *polygamy* is not only lawful, but *expedient*.—For instance—a man marries a woman, with whom he cohabits, and after a few years, or even months, she falls into raving *madness*—proper help is sought to, but in vain—it appears to be constitutional, from a family disorder—she is confined in a mad-house—pronounced incurable. In such a case as this,

no

no one end of marriage can possibly be answered to the husband. Other cases * might be put of equal difficulty with respect to him—in all which, the expediency

* When the case above mentioned—those others which are to be found, vol. i. p. 182, 183.—and many such like *situations*, are considered—the question, whether “*polygamy* is or is not forbidden by “ the LAW OF HEAVEN,” may, perhaps, assume an *importance* in the opinion of the *reader*, which it had not before; and fully justify the *author* in the pains he has taken to settle that matter on the BASIS OF THE DIVINE LAW.

If it be *totally* forbidden, it can be in *no case* allowed—and if so, men must submit, without murmuring or disputing, to the holy and sovereign WILL OF HEAVEN; and let the inconveniences of their situation be what they may, it is their duty to suffer them *all* with the most unreserved and unlimited resignation.

On the other hand, if it appears that the *thing itself* is no where forbidden, but allowed—it then must be *lawful*.—The contrary position can have no other ground, than the folly and superstition of the human mind; no other obligation than the tyranny of *custom*, sanctified by *human law*—this, to the distress and destruction of thousands.

I remember, once conversing in *France* with a *Capuchin* friar—and observed he wore *sandals*, which left his feet exposed to the rigour of the *cold season*—on asking him whether this was not attended with great distress and inconvenience? he answered—“ Yes—that many of his order had lost their toes, “ and some their *lives*, by *mortifications* which were “ caused by the severity of a frost.”—“ Why then, “ in such seasons at least, will ye not wear *shoes*—

diency of taking *another wife* is self-evident, and from nothing more than its being God's own appointed remedy against the sad consequences of *lust*—

“and *stockings* like other people?” “No—*our rule* forbids it.”—“Can you really suppose,” replied I, “that God can require this at your hands? or that there is any *merit* in thus exposing yourselves to misery, and even death itself, merely because men like yourself have commanded it?—it is more like *self-murder* than *religion*.”—Here the *father* grew a little angry—however I pacified his wrath, by wrapping a half-crown up in a piece of paper (for they must not *touch* money) and putting it into his hand—he departed, shaking his head at my profaneness, and assuring me, that I “should have the prayers of all his convent.”

How much wiser are we than this poor *friar*? he would sooner die of a mortification in his feet, than quit his *sandals* and wear *shoes*, because his *rule* forbids it!—We had sooner see men in situations which expose them to distress and destruction, and women irretrievably ruined by thousands, because *our rule* must be observed, instead of permitting them to apply the remedy which God hath graciously afforded, the *expedience* of which is, in numberless cases, as self-evident, as the *friar's* making the *change* which I recommended to him.

However, determining to trace the whole matter to the fountain-head, I have endeavoured to leave nothing unsaid upon the subject, which might tend to elucidate it:—its importance is *inconceivably great*—and if we chuse to wear *sandals*, because *Saint Somebody* or other found out that we must not wear *shoes*—we must abide by the consequences.

they

They cannot contain, let them marry, it is better to marry than to burn. 1 Cor. vii. 9. To say that a married Jew, under such circumstances, might have applied this remedy *under the law*, but a Christian cannot *under the gospel*, is to place us under a worse bondage than the Jews were, when under the yoke which neither they nor their fathers could bear. Acts xv. 10. Common sense, reason, nature, here coincide with scripture in the reprobation of such an idea. The man may be forced into *whoredom*, and he shall be free; but if he marry he shall be deemed a felon, and suffer death as such, says the pious statute of 1 Jac. c. 11.

The case of a married woman under such circumstances is very different, because the law positively forbids any second union with *another man, living her husband*. See Rom. vii. 3. But then let it be remembered, that if the privileges of *women* are circumscribed by a stricter rule than those of the *men*, so are their *passions*; these are usually as much weaker than the *passions* of men, as their bodily strength is weaker than the strength of men. I now speak of *women* as to their natural state, not as corrupted and debauched in their minds by the adventitious circumstances

stances of bad education, and led astray by bad example. If *girls*, as soon as they can read, are to have amorous *romances* and *novels* put into their hands, perhaps obscene and filthy books, where *less disguise* is used than in the former—if they are taught to relish the lewdness of the stage, and to mix in the diversions of public assemblies, where men (like *Milton's* toad at the ear of *Eve*) make it their business to defile the purity of *female minds* by very impure conversation—it is no wonder that the rule which I have laid down, should be found liable to many exceptions; but I have no doubt of its being subscribed to by every man, whose happy lot it is to have married a *sober*, truly-*modest* woman. Were it otherwise—did the *passions* of the weaker sex equal the *passions* of men—had not Providence most graciously ordained a considerable disparity, as one means of maintaining the subordination which women are under—the whole world must be thrown into confusion. We may easily judge of what consequences must ensue, by taking a survey of the distraction of those families, where the *natural balance* has been destroyed.

With regard to *superstition*, it takes so
 2 many

many shapes, and appears in so many forms, that one may say—

Quo teneam vultus mutantem Protea nodo? HOR.

—while it changes thus, what chains can bind
These various forms; this *Proteus* of the mind?

FRANCIS.

Still it is uniform * in leading men from truth to falsehood—in usurping an empire over the human mind, which is inimical to GOD's glory, to the reverence we owe His commandments, as well as to the solid peace, comfort, and happiness of mankind. Whether therefore *superstition* appears in the shape of a brazen image of an old man at *Carthage*, receiving infants into his arms, and letting them drop through into a pit of fire—or

* When we consider the various mazes of *error* into which mankind are led by the single principle of *superstition*, it may remind us of that beautiful thought in *Horace*, Sat. iii. lib. ii. l. 48. &c.

——— *Velut sylvis, ubi passim
Palantes error certo de tramite pellit.
Ille sinistrorsum hic dextrorsum abit; unus utrimque
Error, sed variis illudit partibus.*

As in a wood two travellers may stray,
Both lose the path, each take a different way;
By one *same error* both may be misled,
Though their lost steps in *various mazes* tread.

of an old man, made of flesh and blood, at *Rome*, commanding people to renounce the evidence of their outward senses—or of a *primitive* father of the *Christian church*, declaring against *marriage* as “unlawful under the gospel,” and that “all *second* marriages are only a more specious and decorous kind of *adultery*”—or of a grave and learned English statesman, enacting a law to *put those asunder whom God hath joined together*—or of a reverend divine, whether *Popish* or *Protestant*, maintaining that certain moral actions which God *allowed*, and in some cases *commanded*, under the law, are *sinful under the gospel*—*superstition* is still the minister of *Satan*, who is the *God of this world*, (2 Cor. iv. 4.) carrying on his grand design to destroy the *human species*; nor is there so probable a way of effecting this, as in interfering with those wise regulations which the *Most High* hath made for the preservation of the *female sex*, as may appear from much that has been said, but from more which will be said in the conclusion of this treatise.

It is greatly to be lamented, that *superstition* has found its advocates, not only among the *designing* and *weak*, but even among the learned, and wise, and pious part of mankind; many melancholy instances

instances of this stand upon record, not only in the annals of *Popish*, but of *Protestant* literature. Here I find myself constrained to animadvert on some passages of the *two sermons** before mentioned, — with a few strictures on which, I shall conclude this chapter.

The learned and pious *author* seems, in a note at the bottom of one of the pages, to insinuate that no marriage is valid in the sight of God, where the “ceremony” doth not pass through the hands of a “priest; who,” he tells us, “acts in God’s stead.” — Where is scripture-proof for this? No where—There is not a single instance of such a thing either in the *Old* or *New Testament*; neither the *priests* nor *Levites* under the *law*, nor the *apostles* and other *ministers* under the *gospel*, appear to have interfered in any one instance, nor is such a thing given in commission to any of them. Their several offices are most minutely set forth in all the duties of them, but not a word about their *marrying people*; I am therefore apt to think, that the maxim—*de non apparentibus & non existentibus eadem est ratio*—is very applicable on this occasion. If such a thing had been, we must

* See vol. i. 277.

her away all his days. Such is the positive precept of God—and yet it is to be supposed of *no* validity whatsoever, unless * ratified by some ordinance of *human*

* When OUR SAVIOUR is conversing with the woman of *Samaria*, (John iv.) he says to her—“Thou hast had *five husbands*, and he whom thou now hast, is *not thine husband*”—from whence some have inferred, that something besides *cohabitation* is necessary to constitute a marriage in the sight of God. But let us suppose, that *four* of this woman’s husbands were dead, or had divorced her for *adultery*, that, under either of these circumstances, she had married a *fifth husband*, whom she had deserted, and lived in *adultery* with another man. She certainly had had *five husbands*, and the man with whom she now lived in *adulterous commerce*, perhaps clandestinely, could not be properly styled *her husband*; nor she *his wife*. See Rom. vii. 3. She therefore said *truly*, that she had *no husband*—having left him who was her *lawful husband*, and living with an *adulterer*, who *was not*.

As this scripture does not explain itself, we can only guess at its meaning; but then our conjectures should be regulated by the whole *analogy* of scripture, and not be the surmises of our own fancy. We should say (judging from the circumstances of things among *us*) that a woman who lived with a man without some religious ceremony performed, had *no husband*; but this cannot be the meaning of this place, because the divine law constituted no religious ceremony whatsoever on the occasion. The whole legality of a marriage among the *Jews* depended on the state of the *woman*, either as except-

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man contrivance—such I must call the intervention of a *priest*, till I can find it in the scripture.—Without this, faith our author—“they both live in an * habitual state of *fornication* and *whoredom*.”—If so, what are we to think of the *patriarchs* and others whom we read of in the Old Testament, and whose marriages are particularly related? *Isaac* and *Rebekah*, for instance? All we read of their marriage is—that, *Isaac brought her into his mother's tent, and took Rebekah, and she became his wife.* Gen. xxiv. 67. So *Jacob* and *Leah*—*And it came to pass in the evening, that he (Laban) took Leah his daughter, and brought her to him (Jacob) and he went in unto her.*—Going

ed against or not by the law, or as *betrothed* or not to *another man*—not on any religious ceremony—otherwise we must invalidate every marriage which is recorded in the word of GOD.

* He might as truly have said, that they both live in an habitual state of *burglary* and *housebreaking*; there is just as much scripture-authority for this as for the other.

In short, this is the very *lye* which the church of *Rome* wished to have believed, in order to frighten people into the hands of the *priests*, in the lucrative business of marriage-ceremonies, dispensations, &c. thus dishonouring and annulling the *positive* institution of the MOST HIGH.

Hoc ITHACUS velit & magno mercentur ATRIDÆ.

in unto a woman is * equivalent to ענה—*bumbling her*; or *lying with her*. Comp. Gen. xvi. 2. xxx. 3. 2 Sam. xvi. 21. with 2 Sam. xii. 11. 1 Chron. ii. 21. So in the case of *Jacob and Rachel*—*And he (Laban) gave him Rachel his daughter, to wife also, and he (Jacob) went in also unto Rachel*. See Gen. xxix. 23, 28, 30. So *Boaz and Ruth*, ch. iv. 13. Many more instances might be cited; but I humbly conceive these are very sufficient, to prove, that a *marriage* may be *valid* in the sight of God, where there is no

• This appears from many passages of scripture, where the words בן אלה are to be understood in this sense. Comp. Gen. vi. 4. xxix. 21, 23, 30. xxx. 3, 4, 16. xxxviii. 2, 18. Prov. vi. 29. & al. So Calasio, sub voc.—בן אלה—ingressus est ad mulierem—*id est*—Coivit. That this is what makes the *actual marriage* in God's account, and is the only ordinance essential thereto, is clearly to be gathered from Deut. xxi. 13. where it is said, that after the *expiration of the month*, which was allowed the *captive-damsel* to bewail her friends, &c. *after that*,

תבוא אליה ובעלתה ודיתה לך לאשה
uxorem in tibi erit & ejus eris maritus & eam ad ingredieris.
thou shalt GO IN unto her, and be or become her husband, and she shall be or become thy wife—or a wife to thee. GOING IN unto her, and being or becoming her Lord—בעל—or husband—and her being or becoming his woman, or wife—are here, as elsewhere, equivalent terms. See before vol. i. p. 44.

church

church—chapel—priest—or outward ceremony administered by a *priest*; if not, then I will agree that these good folks lived in “an habitual state of *whoredom* and *fornication*.” But, by the leave of this learned author, and with all due deference to “*Dr. Hickes’s* excellent treatise on the *Christian * priesthood*,” there

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* *Bishop Bonner*, in *Q. Mary’s* reign, made a long speech to the Convocation, in which he compared *priests* to the *Virgin Mary*, in three points, and afterwards added—“The dignity of *priests*, by some means, passeth the dignity of *angels*; because there is no power given to the *angels* to make the body of *CHRIST*, which the least *priest* may do on earth, and the highest *angel* in heaven can not do. Wherefore *priests* are to be honoured before all *kings* of the earth, *princes*, and *nobles*; for a *priest* is higher than a *king*, happier than an *angel*, and maker of his *Creator*.” Crit. Hist. of Eng. p. 151.

All this is as *wise*, *true*, and *scriptural*, as to contend that no marriage is valid in the sight of *God* without the intervention of a *priest*. Let it once be proved from the *Bible*, that *priests* made marriages, or interfered in them in any one instance, and I will not only subscribe to all *Dr. Hickes* says in his “excellent treatise,” but also to all *Bishop Bonner* said in his excellent speech.

If the reader will look into *Lord Sommers’s* Tracts, vol. iii. p. 237, 238. he will find “two excellent treatises” of *Dr. Hickes* mentioned, in which, as appears by the transcripts from them, this learned and zealous *Protestant* divine perfectly harmonizes with *Bishop Bonner*—as to *priestly* dignity

is another insuperable difficulty in this same *priestly* scheme of marriage; which is, that however the *Jews* might have found such a person under the *Mosaical* dispensation, I am afraid, after that was at an end, if people had staid till they could have found a *priest* to marry them, they never could have married at all, but must have contented themselves with living *single*, or “in an habitual state of *whoredom* and *fornication*” — because, under the *Christian* dispensation, we read of no such officer in the church. We read of ἀποστόλοι — men sent immediately by CHRIST to teach all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Ghost — therefore

nity — and as for a *bishop*, “he is to be honoured as God; and he who makes himself a judge of a *bishop*, makes himself a judge of God — and he who resists a *priest*, is guilty of greater treason than he who resists the king, the *priest* being the king’s superior.” Of prayers for the *dead*, he says, “There is the same ground for those prayers, as for our common *Christianity*. We believe those prayers are accepted, which desire God to hear the saints for us, to send the deceased in *Christ* a good trial.” Ib. 236. I cannot help considering such sort of divines as *mules*, neither *Papists* nor *Protestants*, but between both; though rather partaking most of the former, especially where toleration is concerned.

eminently styled—*apostles*. We likewise find ~~one~~ added to their original number, whose commission, received immediately from CHRIST himself, runs in these remarkable words, (Acts xxvi. 17, 18.) *To the Gentiles I send thee, to open their eyes, to turn them from darkness to light, and from the power of Satan unto God, that they may receive forgiveness of sins, and inheritance among them which are sanctified by faith that is in me.* In all this there is not a word about *priesthood* or *marriage*. We likewise read of Ἐπισκοποι, *overseers*, which we call *bishops*—of πρεσβυτεροι, *elders*—Διακονοι, *deacons*;—but in all that is said about them (and their several *offices* are very particularly mentioned, as well as their *characters* and *qualifications*) not the least hint appears of their interference in the affair of *matrimony*. For any man, or set of men, to tell us that they are commissioned from God, to do a thing, which is not so much as mentioned in *any commission* which they can produce from the scripture, as ever having been given to any man upon earth, may charitably be supposed an imposition on their own understandings; but when forced on the belief of others, it is an insult on the understandings of the rest
of

of the world. It is even worse still, for it is acting with the consciences of men, as the *old prophet in Bethel* acted towards the *man of God who came out of Judah to Jeroboam*; it is lying to them in the name of the LORD. See I Kings xiii. 18.

As for a *priest*, there is not, nor can there be, such a minister or officer of the *Christian church*. For every *priest* (whether high-priest or other, compare Heb. v. 1. with Heb. x. 11.) taken from among men, is ordained for men in things pertaining to GOD, that he may offer both gifts and sacrifices for sins; and by reason hereof he ought, as for the people, so also for himself, to offer for sins. And EVERY PRIEST standeth daily ministering and offering the same sacrifices, which can never take away sins—But this man (CHRIST JESUS) after he had offered one sacrifice for sins, for ever sat down on the right hand of GOD—for by ONE OFFERING he hath perfected for ever them that are sanctified. Of course there remaineth no more sacrifice for sins, (Heb. x. 26. latter part) no more order of *priesthood* among men. The truth is, that the whole *priesthood* under the law centered in CHRIST under the gospel; He is in reality what the former was in type and figure.—The *Levitical* priestthood, with every circumstance relative thereto,

In one sense, *every Christian* believer is a *priest*; that is to say, in the spiritual sense described, 1. Pet. ii. 5. *Ye also, as lively stones, are built up a spiritual house, an holy priesthood, to offer up SPIRITUAL SACRIFICES acceptable to GOD by JESUS CHRIST.* So St. John, (Rev. i. 5, 6.) *Unto Him that loved us, and washed us from our sins in His own blood, and hath made us KINGS and PRIESTS unto GOD and His Father, to Him be glory and dominion, &c.* The appellation of KINGS, as well as that of PRIESTS, equally belongs to all *Christian* believers alike, but to no outward order, or particular set of men among them, in any exclusive sense whatsoever.

The pride and insolence of *churchmen* began very * early to work, and to aim
at

“ power is given, by divine institution, to consecrate, offer, and minister the *Eucharist*, and to remit and retain sins.” Though this decree contains almost as many *lies* as words—yet it was followed by an horrible *anathema* on all who should deny it. *Brent*, Hist. Council of *Trent*, 738, 739. Another *anathema* of the same council, is against—“ those who should say that CHRIST, by these words—DO THIS IN REMEMBRANCE OF ME—hath not instituted *priests*, and commanded them to offer.” Ib. 574.

* Those vile *forgeries*, which bear the name of the *apostolical constitutions*, (the authors of which, it is pretended, were the *twelve apostles*, and St. Paul,
P 2 gathered

at that dominion over the consciences of men, which has been brought to so thorough a perfection by the *Popes of Rome*, though so formally *renounced* by an
holy

gathered together, with *Clemens* their *amanuensis*) repeat it over and over, lest *Christians* should forget it, that “ a bishop is a god, a god upon earth, and a king, and infinitely superior to a king, and ruling over rulers and kings.” They command *Christians* to give him tribute as to a king, and to reverence him as a god, &c. Jortin, vol. i. p. 154.

Many passages there are in *Cyprian's* writings, who lived in the *third century*, containing high notions of *episcopal* authority and *ecclesiastical jurisdiction*. While he strenuously opposed the dominion of *one Pope*, he seemed to make as many *popes* as *bishops*, and mere *arithmetical noughts* of the rest of the *Christians*. 1b. vol. ii. p. 75.

But there is a Popish writer named *Alanus de Rupe*, who, in an “ excellent treatise on the *dignity and excellency of the Christian priesthood*,” leaves the blasphemy of *Bonner, Hickes, &c.* far behind; for he makes, in a passage I have now before me, a *priest greater than God himself*. “ Quilibet sacerdos habet potestatem patris, & (salva semper Dei reverentia) habet majorem potentiam quam Pater omnipotens in mundi efficientia. Nempe Pater septem dies laboravit, tam in opere creationis quam distinctionis, sed sacerdos celebrans quilibet, quantumque parvus, majus his omnibus facit.

“ Pater enim ibi facit creata, sed sacerdos in-creatum. Ibi Deus producit effectus, sed sacerdos causa causarum generat.

“ Quanta est igitur distantia Dei a mundo creato, tanta est excellentia operis sacerdotalis super opus creationis. Unde definitivè dico, quod majus est
opus

holy *apostle*—2 Cor. i. 24. The first step to making men *do* WHAT the *clergy* pleased, was to make them *believe* AS they pleased.—So early as the *second* century, “ the *Christian* doctors had the
 “ good fortune to persuade the people,
 “ that the ministers of the *Christian*
 “ church succeeded to the character,
 “ rights, and privileges of the *Jewish*
 “ *priesthood*, and this persuasion was a
 “ new source of *honours* and *profit* to the
 “ sacred order. This notion was propa-
 “ gated with industry some time after

“ opus sacerdotis, quam habere potentiam creandi
 “ creata tot mundorum quot sunt substantiæ in
 “ mundo, &c.”

“ Every priest hath the power of a father, and
 “ (with reverence to GOD be it spoken) hath
 “ *greater power* than the *Father Almighty* had in
 “ making the world. For the Father (GOD) *laboured* seven days, as well in the work of cre-
 “ ation as distinction; but a *priest* celebrating (the
 “ mass) though ever so inconsiderable in himself,
 “ doth greater things than all these; for there the
 “ Father makes created things, but the *priest* what
 “ is uncreated. There GOD produces effects, but
 “ the *priest* generates the cause of causes.

“ As much distance, therefore, as there is of
 “ GOD from the created world, so far is the ex-
 “ cellence of the sacerdotal work above the work
 “ of creation. Whence, I definitively say, that
 “ the work of a *priest* is greater, than to have a
 “ power of creating the creatures of as many
 “ worlds, as there are substances in the world,
 “ &c.”

“ the reign of *Adrian*. Accordingly the
 “ *bishops* considered themselves as invest-
 “ ed with a rank and character similar
 “ to those of the HIGH-PRIEST among
 “ the *Jews*, while the *presbyters* repre-
 “ sented the PRIESTS, and the *deacons*
 “ the LEVITES.” Mosheim, vol. i, p.
 88, 101. Thus did they “ extend the
 “ limits of their authority, turn their
 “ influence into *dominion*, their counsels
 “ into laws, and openly asserted, at
 “ length, that CHRIST had impowered
 “ them to prescribe to His people *au-*
 “ *thoritative rules of faith and manners.*”
 Ib. 88. The history of the church still
 shews us, how *superstition* enlisted on the
 side of *church power*, resisted the autho-
 rity of scripture-evidence, “ made the
 “ observance of human rites and cere-
 “ monies necessary to *the attainment of*
 “ *salvation.*” Ib. 296.—till, in the 12th
 century, *Pope Innocent* the third turned
 marriage into a sacrament, and threw it
 into the hands of *priests*, on whose admi-
 nistration of certain human rites and ce-
 remonies, its validity before God was
 supposed to depend ; so that parties *joined*
together otherwise than by this means,
 were deemed to live in “ an habitual state
 “ of whoredom and fornication.”

When I think on these things, I can
 hardly,

hardly, with any degree of gravity, transcribe what our author lays down as an axiom, "That neither the woman can give herself to the man, nor can her father or friend give her to him *immediately*, but the hands of the *priest only*." The *Rubric* says, that "the *minister*, receiving the woman at her father's or friend's hands, shall cause the man with his right hand to take the woman by her right hand, and say after him," &c. This is a very decent and harmless part of the ceremony—but when we are told, that "the woman *can* neither *give herself*, nor the man *take her*, but at the hands of the *priest only*," we are, I suppose, to understand this to be so *essential* to *marriage*, that, without it, it is not *valid* in the sight of God. Here is something very *serious* indeed; for what must become of people who do not use this ceremony? are they to be deemed to "live in an habitual state of *whoredom* and *fornication*?" The *Quakers*, for * instance?

* On this plan, what must be said of those who married during the times of the *grand rebellion*, when marriages were performed by the *justices of the peace*, and this for about eighteen years together? These *marriages* were declared valid by the act of 12 Car. II. c. 33. which confirms all that
 P 4 were

stance?—they must all, who marry among them, be lost eternally—for *fornicators and whoremongers have no inheritance in the kingdom of God*. 1 Cor. vi. 9. So that this gentleman's notions, like the *Pope's* bulls, carry an *anathema* wherever they are departed from. To invent a scheme, for which there is not a tittle of evidence from the *Bible*, and then positively assert it to be the only one by which *marriage* can be *lawfully* contracted, was worthy the *haughtiness* of a *Pope*, but not quite so becoming the *decent humility* of a *Protestant divine*; more especially when the *Bible* is by no means silent on the subject of *marriage*, but furnishes us with a stream of evidence concerning it, which evidently runs in another channel.

When we are commanded to be *followers of those who through faith and patience inherit the promises* (Heb. vi. 12.) we can hardly suppose that God would set before us, for our *imitation*, a people who “lived in an habitual state of “*whoredom and fornication*,” and yet we do not find one single instance of their marrying according to our author's plan ;

were thus had and solemnized from May 1, 1642, to the year 1660. But this could not salve the matter, nor prevent the bitter consequences of *marrying* without a *priest* ; which, if what this *author* says be true, must be bitter indeed !

they

they certainly *could* and *did* “ receive
 “ their wives from the hands of the fa-
 “ thers or friends, and not from the
 “ hands of a *priest*” at all. *Jacob* re-
 ceived *Leah* immediately from her fa-
 ther *Laban*; thus he afterwards received
Rachel. *Isaac* is no where said to receive
Rebekah, nor *Abram* to receive *Sarai*
 “ by the hands of a *priest*.” Nor does
 this appear to have been the case, either
 before or after the giving of the law, in
 the Old Testament; neither is there the
 smallest trace of it throughout the New
 Testament. So that all this learned
author's discourse about *priests* and *mar-*
riages, stands on no better foundation
 than the *Pharisees* traditions, which were
invented by one set of men, *banded* down
 from them to another, and *believed* by
 the superstitious and ignorant of succeed-
 ing generations, till they gained an au-
 thority in some cases equal to, in others
 above, the *written word* of God.

Our author very truly says in a note
 —“ It was therefore death under the
 “ law of *Moses*, for any *stranger*, that is,
 “ one who was not of the *priestly* order,
 “ to invade the *priestly* office (Numb.
 “ xviii. 7.) which was actually and
 “ dreadfully executed upon self-suffi-
 “ cient *Corah* and his *deistical* company
 “ (Numb.

“ (Numb. xvi. 3. and 32.) nay, so very
 “ sacred was the office of the *priesthood*,
 “ that even *kings* themselves were im-
 “ mediately and signally punished by
 “ God himself, for usurping it under
 “ the law of *Moses*, as we may read
 “ (2 Chr. xxvi. 18, 19, 20.) in the case
 “ of *king Uzziah*.”

Here I would observe, that, if it was so penal to usurp the *priesthood* under the law of *Moses*, which *priesthood* was only typical of the *priesthood* of CHRIST, may it not be worth the while of this *author* to consider what it must be to usurp the *priesthood* of CHRIST itself? The *apostle* shews, Heb. vii. that the typical *priesthood* passed in succession from one man to another, therefore there was always an order of men *called of God*, and appointed to that office; for no man could take *that honour to himself*, but he *that is called of God*, as was *Aaron*. Heb. v. 4. The same *apostle* points out a very remarkable difference with respect to the *priesthood* of CHRIST—which is, that it all resides in Him, and cannot *pass to any one else*. They truly were *many priests*, because they were not *suffered to continue by reason of death*; but *this man*, because *He continueth ever*, bath —ἀπαράλατον ἱεροσύνην—a *priesthood which cannot pass from HIM to any other*. This

is a truth of the last importance, for our salvation depends upon it, as may be gathered from the words of the next verse, (see Heb. vii. 23, 24, 25.) When therefore persons assume an office, which is no where said in the New Testament to belong to any but the GREAT HIGH PRIEST, who is the glorious *antitype* of the whole *Jewish priesthood*, and when they mean any thing by the "*Christian priesthood*" but the *priesthood* of CHRIST himself, which is ἀπαράβατος, *impassable* from Him to any, may we not reasonably doubt, whether "*Corab* and his de-
 "istical company were the only self-suf-
 "ficient invaders of the *priestly* office?" This doubt will be soon cleared up, if what is said Heb. vii. viii. ix. x. touching the difference between the *priesthood* under the *law of Moses*, and the *priesthood* of JESUS CHRIST under the *oath* of JEHOVAH, be duly considered and attended to.

But our author proceeds—"Is it not
 "in conformity to God's bringing the
 "first woman to the first man, that
 "the minister, *who acts in God's stead in*
 "our ceremony, gives the woman to the
 "man, and afterwards joins them in
 "God's * name, not his *own*, when he
 "says—

* The unauthorized use of the *names* of the *divine persons* in the holy and *blessed Trinity*, when the
priest

“ says—“ Those whom God hath joined
 “ together (not I) let not man put asunder.”—You see that neither the woman
 “ can give herself to the man, nor can her
 “ father or friend give her to him immediately, but by the hands of the *priest*
 “ *only*, who receiving her, as our *Rubric*
 “ says, from them, gives her to the man;
 “ which shews, that the compilers of our
 “ *matrimonial* form were better* apprized
 “ of

priest joins the parties in matrimony, is copied, as we have seen (before, p. 150. n.) from a decree of the *Papish* council of *Trent*, who gave the following wicked reason for their introduction—they said, that—“ the use of these words was decreed to *no other end*, but that in a short time it might be made an *article of faith*, that *those words* pronounced by the *parish priest* were the *form of the sacrament*.” So that what the *Papists* invented in order to make the people *believe a lye*, is here treated as an *essential* part of the *ceremony*, or rather of the very *marriage itself*! See *Brent. Hist. Coun. Trent.* p. 791.

* The old proverb saith—“ Give the Devil his due :”—therefore it is not quite handsome, to attribute this ingenious insight into the *divine institution of marriage* to “ the compilers of our matrimonial form,” for they plainly borrowed the chiefest part of our *proceedings* from the church of *Rome*. When the council of *Trent*, building on *Pope Innocent* the III^d’s foundation, (see before 147—150) were determined to give a finishing stroke to religious liberty, by throwing the consciences of men into the hands of *churchmen*, and to make the *marriage-union* no longer dependent on God’s word, but on *man’s law*, they established a decree as follows :

“ And

“ of the divine institution of marriage,
 “ as well as of the sacred importance of
 “ the *priest's office*, than some among us
 “ at present seem to be.”

“ And because prohibitions do no good, the *synod*
 “ doth COMMAND, that the matrimony shall
 “ be denounced in the church *three festival-*
 “ *days* (we say *Sundays*) before it be contracted,
 “ and, no impediment being found, shall be ce-
 “ lebrated in the *face of the church*; where the
 “ *parish-priest*, having interrogated the man and
 “ the woman, and heard their consent, shall say,
 “ —*I join you in matrimony* (we say, “ I pro-
 “ nounce you to be man and wife together”) *in the name of the Father, Son, and Holy Ghost*,
 “ and shall use other words accustomed in the
 “ province. Notwithstanding, the *synod* doth
 “ refer it to the *will of the bishop* (here's a salvo
 “ for *licences*) to omit the *banns*; but doth de-
 “ clare those to be *incapable* of marriage, who
 “ attempt to contract it without the presence
 “ of the *parish-priest*, or another *priest* of equal
 “ authority, and of two or three witnesses;
 “ making void and nullifying such contracts, and
 “ punishing the transgressors.” Afterwards it
 “ saith, “ The *synod* will have this decree to be in
 “ force within thirty days after it shall be pub-
 “ lished in every parish.—*Brent. 785.*”

To hear a grave and learned *Protestant divine* comment on all this *Popish* rubbish, just as solemnly as if it was a decree of Heaven, affords no small proof of the force of prejudice and superstition: and indeed, were not the subject too serious for such an expression, might be called *ridiculous*. The above is nearly the model of our *marriage plan*, as it stands at present, and thoroughly vacates the *divine obligation* arising from the *divine command*.

If our compilers of the marriage-ceremony, meant to represent what was done in *Paradise*, at the first institution of marriage, they have acquitted themselves very awkwardly, for there is not a single circumstance alike.

As to the “*minister’s* acting in God’s stead”—I do not find that God did any thing but *bring her to the man*, whereas with us the man brings the woman to church, and sets her before the *minister*.—nor did God *speak* on the occasion—whereas the *minister* reads a long ceremony, attended with many * circumstances

* *Burnet*, in his preface to *Hist. Ref.* observes, that the “*primitive Christians* brought in many rites “ of *Heathenism* into their worship.”—The use of the ring in marriage, seems to have been derived from this source, for that it was an *heathen* custom appears in *Hooker*, Eccl. Pol. fol. edit. 1723, p. 267. The *Jews*, not improbably, borrowed it also from the *Heathen*; for that the *bridegroom* put a ring on the *bride’s* finger is certain. *Broughton Hist. Lib.* vol. ii. 179. We take it from the *church of Rome*.

Mr. Chambers—Dict. under the word *Ring*—gives us the following account:—

“ A second kind of rings were the *annuli sponsalitii*, wedding-rings. Some carry the origin of this custom as far back as the *Hebrews*, on the authority of a text in *Exod.* xxxv. 22.—*Leo of Modena*, however, maintains that the ancient *Hebrews* did not use any nuptial ring. *Selden*, in his *Ux. Heb.* lib. ii. c. 14. owns, that they gave a ring in the marriage, but that it was only in lieu of a piece of money of the same value, which had used to have been given before. “ The

ces which are entirely the invention of the *compilers*—therefore the “minister’s “acting in God’s stead” without being commanded so to do, either by precept or example from God’s *book*, is, if very closely attended to, and examined upon the footing of scripture, not quite so like what passed in *Paradise*, as what was transacted on a certain occasion which our *author* has mentioned, concerning certain “self-sufficient intruders” into an office which did not belong to them, not being especially appointed thereunto by God *himself*. If the *state* chuses that the *civil contract*, which is to give the security which it requires for the marriage of the parties, should pass through the hands of a *minister* in a church, in the presence of the congregation, a decent proper ceremony compiled for that purpose is certainly expedient—but when we are told of a *divine institution*—the *importance of the priest’s office*—his *acting in God’s stead*, and in God’s *name*—we must require plain *scripture*-proof for all this; but more especially when we are informed, that all this must

“The *Greeks* and *Romans* did the same; and, from “*them*, the *Christians* took it up very early, as appears “from *Tertullian*, and in some antient *liturgies*, “where we find the form of *blessing the nuptial ring*.” The use of the *ring* in marriage is, therefore, not one of those *circumstances* which are to be reckoned among the *inventions* of our *compilers* of the *marriage-ceremony*.

be complied with, on pain and peril of *eternal damnation*; for that must be the consequence of living in “an habitual state of “*whoredom and fornication*,” which our *author* hath peremptorily declared to be the case of all, who are not pronounced *man and wife* by the “*mouth of a priest*.”

I should not have said so much on this *author's* doctrines upon the subject of *marriage*, were they not embraced so generally among us; they have, since *Pope Innocent the III* laid the foundation of them, by throwing *marriage* into the hands of *ecclesiastics*, been growing in credit, till at length it became, among the generality, almost established as an *article of faith*, and now confirmed by act of parliament, 26 Geo. II. c. 33. that, “where “there is no ceremony performed by a “*priest* (and *this* under certain *conditions* of “*human invention*) there is no *marriage**,” consequently the *divine institution*, with all its weight of obligation, is entirely vacated.

* A recent and most melancholy instance of this mischievous and antiscriptural *lie*, as to its tendency with regard to the principles and practices of mankind, has appeared in the sad and deplorable catastrophe of the unfortunate Miss *Ray*, and of her still more unfortunate admirer Mr. *H.*—Had the *divine law*, and not *Papish* tradition, been made the *basis* of our *laws* with respect to *marriage*, he would have been taught to have considered her situation as that of the *wife* of the noble Lord, by whom she had several children,
and

cated and set aside, nor can the scripture be brought, with its due authority, to rescue those from destruction and perdition, who have a right to its protection. How subservient this human marriage-scheme has been made, by the *father of lyes*, to the interests of his kingdom, in the promotion and increase of *whoredom* and *prostitution*, I need not be at much pains to prove; the *eyes* and *ears* of every man who walks the streets of our *metropolis* after sun-set, will be very sufficient judges of the matter from their own observation.

I will now shut up my remarks on our learned *author*, with citing *entirely* a very awful passage, which he has transcribed *partially* at the conclusion of his *two discourses*. *I testify unto every man that beareth the words of the prophecy of this book, if any man shall ADD unto these things, GOD shall ADD unto him the plagues that are written in this book. And*

and with whom, it was said, she had cohabited from the age of sixteen, to the *fatal* moment which first brought Mr. H. to her acquaintance—he could never have thought of soliciting her hand in *marriage*, and consequently of indulging such a resentment, on her persisting in a refusal, as at last ended in his becoming her *murderer*, and, *intentionally*, his own—but he was awfully reserved for the hands of the *public executioner*!

If any man shall TAKE AWAY from the words of the book of this prophecy, GOD shall TAKE AWAY his part out of the book of life, and out of the holy city, and from the things which are written in this book. Comp. Rev. xxii. 18, 19. with Deut. iv. 2.

“ The church of England, though she does not consider marriage as a sacrament, yet looks upon it as an institution so sacred, that it ought always to be celebrated by an *ecclesiastical* person. And by several canons of our church it is declared, to be no less than prostituting one's daughter, to give her in marriage without the blessing of a *priest*. But marriages without this sanction are not therefore null and void. For, though the positive law of man ordains marriage to be made by a *priest*, that law only makes marriages otherwise solemnized irregular, but does not dissolve them.” Broughton Hist. Lib. tit. *Marriage*. This passage in Mr. Broughton is confirmed by authorities cited in the margin of his book; and serves to prove the sentiments of the church of England, with regard to marriage, antecedently to the marriage-act—the passing of which has overturned every part of

of the *divine institution*, as being of any obligation merely in *itself*, so that *marriage* is now more like a *creature of the state* than an *ordinance of Heaven*.

However, it does appear, that though the *church of England* made some *canons* in very early days which favoured of *superstition*, yet she has uniformly maintained so far the honour of the *divine institution*, that an *irregularity* (even the want of a *priest*) in the administration of the ceremony which was to attend the solemnization of it, did not *vacate* the obligation of the thing itself. See before p. 53, 54.

To conclude—If *superstition* consists in believing certain religious tenets which have no foundation or warrant from the scripture, as well as in setting up human tradition as a rule of faith and practice in religious matters—if *heresy* consists in adhering to certain positions and doctrines as so many *religious truths*, which are *inconsistent* with, and in many respects *opposite* to the mind and will of God, as revealed in the scripture—I will leave it to the discretion of the reader to determine, under which of the *two* he will rank the following positions, which are deducible from the systems of *law* and *divinity* in this kingdom.

That a man can seduce a *virgin*, and *lie with her*, and yet she not be his *wife* in the sight of God, and the man not be compellable to make her so in the face of the world.

That *no union* is binding on the parties, unless authorized by *human laws*.

That a man and woman may *divorce* each other, so as that the woman may marry again to another—if not joined by *act of parliament*.

That *polygamy*, though allowed of God under the Old Testament, was forbidden by JESUS CHRIST under the New Testament, and is therefore *sinful*, and if so, *damnable*.

That where a man has *two wives of his own*, he shall be deemed a *felon*, and *suffer death as such*—but if he debauch ever so many *wives of other men* he shall be *free*.

That it is a greater crime to be a *polygamist* in *one* instance, than to be a *whore-monger* in an *hundred*. *

That,

* This and the following paragraph may remind us of an *apothegm* of Cardinal *Campegius*, about the time of the *reformation*, who said—" Multo gravius esse peccatum quod sacerdotes fiant mariti, quam si plurimas domi meretrices alant."—" It was

That it is more criminal to marry *two wives*, than to defile and then abandon ever so many *virgins*.

That human laws, maxims, customs, inventions, and prejudices, are to supersede the obligation of the *divine law*.

That

“ was a much more grievous sin that priests should marry, than that they should keep many harlots.”

However shocking the *Cardinal's* sentiments may seem to us, yet they are not at all more opposite to scripture, than ours upon the subjects here mentioned: and may serve to shew, how far superstition and prejudice may lead those who leave the word of God, turn their ears from the truth, and are turned unto fables, 2 Tim. iv. 4.

Some time before the reformation, the magistrates of the *Swiss* cantons made an edict that—“ Every priest should be bound to have his proper concubine, that he might not ensnare the chastity of modest women.”

Hugo, Bishop of *Constance*, in his letter to *Zuric* against *Zuinglius*, says—“ though this seemed a ridiculous decree, yet it was necessary to be made, nor could be changed, unless that as much as was constituted in favour of keeping concubines, were at that present converted unto lawful matrimony.” See *Brent. Hist. Counc. Trent.* p. 17.

As for *Luther*, because he wrote against the celibacy of the priests and monks, the nuncio of *Pope Adrian* to the diet of *Noremburg*, anno 1523, represented him as “ treading in the way that *Mahomet* did long ago, permitting carnal inclinations to be satiated.” He also observed,

That JESUS CHRIST has taught a more *pure* and *perfect* system of morals than is contained in the *law* of the Old Testament.

that "religious men forsook the cloisters, and returned to the world—that *priests* married, to the great disgrace and contempt of religion—wherefore it was necessary that some orders were taken, that these *sacrilegious marriages* might be dissolved, the authors severely punished, and the *apostates* reduced under the power of their superiors." Brent. 25, 26. After this, anno 1536, the Emperor Charles V. made an edict, that the married *priests* should either forsake their wives, or be banished. Ib. 57.—One accusation against good Bishop Crammer was, that he had been twice married: that he had kept a wife *secretly* in the time of Hen. VIII. and *openly* in the reign of Edw. VI. Rapin vol. ii. p. 44. In 1554, seven Bishops were deprived by special commission, for having defiled their functions by contracting marriage, in contempt of God, and manifest *sin of their own souls*, as well as to the grievous offence of all orders of people, both *clergy* and laity. See Burnet Hist. Reform. 274, 275. Part II.

When Gregory VII. or Hildebrand, made his decree against the marriage of *ecclesiastics*, he branded it with the odious title of the *heresy* of the NICOLAITANS. Hist. of Popery, vol. i. p. 331.

I mention these things, to shew further, what absurdity, folly, and wickedness men may fall into themselves, and lead others into, when *human imagination* usurps the place of *divine wisdom*, and we cease to cleave to the *divine testimony* as the only rule of right and wrong, though under notions of stricter *purity* and more exemplary *holiness*.

That

That *therefore* men are to govern themselves by some *precepts* of CHRIST, not by the *moral law* of the Old Testament. See vol. i. p. 323. 347.

I could almost here adopt the words of the *Marquis* of *Beccaria*, in his ingenious *Essay on Crimes and Punishments*, and say of such positions as these, as he does of certain modes of prosecution—
 “What a labyrinth of absurdities! absurdities, which” (it is to be hoped)
 “will appear incredible to happier posterity. The *philosopher* only will be
 “able to read in the nature of man, the
 “possibility of there ever having been
 “such a system!

When the *reader* has revolved the above positions, and perhaps others which may incidentally arise from them, within his mind, he will most likely begin to see, farther than he did before, into that *mystery of iniquity*, which, mixing its baleful influence in the corrupt minds of men, transfuses itself as well into their *religious*, as into their *worldly* systems; and renders *both*, as far as they are connected with each other, either *independent* on, *inconsistent* with, or *opposite* to, the plan of the *divine government*; and these in more respects than we are

apt to imagine, till we examine into, and seriously consider the subject, on the footing of the *divine law itself*; and weigh the importance of the *law*, as well as of our obedience to it, by that *divine jealousy* over it, which the GREAT LAW-GIVER HIMSELF hath manifested in His *word*. This *jealousy* of God over *His laws*, as a necessary appendage to the preceding pages, shall be the subject of the next *chapter*.

C H A P. IX.

Of GOD's Jealousy over His Laws.

THIS title may be said to form a considerable part of the subject of *holy writ*, and indeed to pervade, and, like the *warp* through the *woof*, to run throughout the whole. The more we contemplate those authentic records of the mind and will of GOD, the more awfully shall we find this truth illustrated both by precept and example.—*I the LORD thy GOD am a jealous GOD, visiting the sins of the fathers upon the children, unto the third and fourth generation of them that hate me. Exod. xx. 5.*—and again, *Nah. i. 2. GOD is jealous, and the LORD revengeth; the LORD revengeth and is furious, the LORD will take vengeance on His adversaries, and He reserveth wrath for His enemies.*

An exemplification of this character of the *holy GOD*, began with the *first* act of *man's disobedience*—*By one man sin entered into the world, and death by sin. Rom. v. 12.*
—*The*

—*The wages of sin is death.* Rom. vi. 23.

—*In the day thou eatest thereof thou shalt surely die.* Gen. ii. 17. Nor was this death a mere personal punishment, inflicted merely on the ~~person~~ ^{person} of the ~~first~~ ^{first} offender—but on his whole posterity:—*In Adam all die.* 1 Cor. xv. 22.

When men multiplied on the earth, transgression multiplied, till God's jealousy was awakened and provoked to destroy the whole world, except eight persons, (1 Pet. iii. 20.) by a flood of waters.

Afterwards we see Sodom and Gomorrah, with the five cities of the plain, together with their inhabitants, destroyed by fire and brimstone rained down upon them from the LORD out of heaven. Gen. xix. 24.

Not to dwell on general topics, let us for a while descend to particulars, and we shall find God's jealousy over His laws displayed throughout the scripture. Even the ceremonial institutions furnish us with examples of this. For instance, in the case of Nadab and Abihu, Lev. x. 1.—of Korah, Dathan, and Abiram, and all that appertained unto them; Numb. xvi. 32, 33. who were swallowed up by the earth—the 250 who were consumed by fire, for burning incense—and beside these, 14,700 who died of the plague. ver. 35. 49. In

1 Chr. xiii. 10. we see *Uzza* struck dead for only *touching the ark*, which belonged alone to *Aaron and his sons* to do. Numb. iv. 5, 15. To these instances may be added that of 50,070 * men struck dead for looking into the ark at *Bethshemesb*, 1 Sam. vi. 19. Comp. Numb. iv. 19, 20. See 1 Chron. xv. 13. So that, even in respect of breaches of the *ceremonial law*, the men of *Bethshemesb* might well say—*who is able to stand before this holy LORD God!*

Likewise on the breach of *positive precepts*, though but *occasional and temporary*, the *jealousy of God over his laws* is terribly manifested; as in the case of *Acban*, Josh. vii. 25.—in the case of *Saul*, king of *Israel*, 1 Sam. xv. 23.—of the *disobedient prophet*, 1 Kings xiii. 21.—of *Abab*, king of *Israel*, 1 Kings xx. 42.

From hence let us look to the *moral law*, which was ordained to be a *rule of life* to all nations, people, and tongues.

* Thus it stands in our translation: but there is not any absolute necessity to understand it of so many, or of more than 70 men out of 50,000 men—Septuaginta viros quinquaginta millia virorum, Mont.—which may certainly be looked upon as a fair rendering of the *Hebrew*.

See some ingenious remarks on this passage in *Letters of certain JEWS to M. de Voltaire*, vol. i. 320 — 1.

upon

upon the face of the earth, whithersoever the word of God *should come*. This can never vary nor decay, because it is founded in the very nature of *that relation* which men bear to God and each other. The *commandment* which stands *first*, and is evidently the ground of all the rest, saith—*Thou shalt have no other Gods but me*. How all contempts of this law were punished, may be seen in the fearful destruction of the *seven nations* in the *land of Canaan*—also in God's delivering the *Gentiles* into the hands of those worst of tyrants and destroyers, their own *vile affections*, so strikingly described by the *apostle*, Rom. i. 21, &c.—As to what the *Jews* suffered for *turning from God to idols*, it is so often mentioned, as to form a chief part in the history of all the calamities which were brought upon them by the righteous judgment of God. Not only the actual breach of this commandment, but even the enticing another to it, whether the enticer prevailed or not, was punished with death, and that without *mercy*, even though the enticer was a man's *dearest friend*, his *nearest relation*, the *wife of his bosom*. See Deut. xiii. 6, &c.

As

As the first commandment was to *secure* God's honour, as the *only object* of *worship*, so the *second* was like unto it, for it was to secure that *worship's* being paid Him in the way which He Himself had appointed. Hence the worship of Him under the form of images, *molden or graven by art and man's device*, was expressly forbidden. What His jealousy over this law was, may be learned from *Exod. xxxii.* when the people *changed their glory into the similitude of an ox that eateth grass.* (Ps. cvi. 19, 20.) And there fell in that day about 3000 men, (ver. 28.) besides what fell by the plague afterwards, ver. 35. Nay God would have destroyed them (all) had not Moses His chosen stood before him in the breach, to turn away His wrath, lest He should destroy them. Ps. cvi. 23.

All image-worship was absolutely forbidden by this law, whether the idol was meant as representative of the true God, as in the case of the *golden calf* (see *Exod. xxxii 4, 5.*) or of the deities of the *Heathen*, as was the case of the *Israelites* in the matter of *Baal-Peor.* The apostle (1 Cor. x. 8.) alludes to this, when he says—*Neither let us commit fornication, as some of them committed, and fell in one day 23,000.*

The words *ῥοπήσαντες* and *ἐνόμωσαν* here, answer to the word מוֹנִיִּם Numb. xxv. 7. which we translate *committed whoredom*—but the word *whoredom* in this place, said to be *committed with the daughters of Moab*, and the *fornication* spoken of by the apostle, are not to be understood in the common acceptance of those terms, as merely signifying intercourse with *barlots*, but also an *idolatrourous prostitution* of the women in honour of the *idol*, which among many nations was looked upon as a *religious rite*. This was the case with the *Moabites*, as appears from the whole chapter; and the sin of the *Israelites* was, first, their yielding to the temptation of the *Moabitish* women, ver. 1. and then their mixing in the idolatrous *impurities* which were practised in honour of the *Moabitish* idol. Comp. Numb. xxxi. 16. Hence the holy zeal of *Phineas*, who slew *Zimri* and *Cozbi*, is marked with such applause, ver. 11, 12, 13. Ps. cvi. 30. as he thereby vindicated the honour of *Jehovah*, in being an instrument in his hands of punishing those monstrous defilers of his law. And indeed their sin was a complicated insult on the *first* and *second* commandments. How God's *jealousy over His laws* operated on the occasion, may be learned

learned from the judgment He inflicted. Numb. xxv. 3, 4, 5, 9. To this we may add the history of *Jeroboam*, king of the *ten tribes of Israel*, whose devilish policy led him to set up *two calves*, one in *Bethel*, the other in *Dan*, that the people might worship *there*, and not go to *Jerusalem*, thinking hereby to prevent their being drawn into a revolt from him to the king of *Judah*; but his sin is marked, as it were, with a *pen of iron*, as *cutting off and destroying the house of Jeroboam from the face of the earth*. 1 Kings xiii. 34.

The *third* commandment was to secure the honour due unto the *holy and reverend name* (Ps. cxi. 9.) of *Jehovah Aleim*—the *LORD GOD*—that it should not be mentioned in a *vain, irreverent, or profane manner*. In *Lev. xxiv. 10*. we find a man, by God's express order (solemnly delivered by *Urim and Thummim*) stoned to death for a breach of this commandment, though seemingly not done in a *deliberate*, but *hasty* manner, while *striving with another man*.

The *fourth* commandment, which, as to the moral intendment of it, was to secure a *fixed portion of our time to be set apart as hallowed*, and sacred to the more immediate worship of *GOD*, was not less

an

an object of God's jealousy; for we find the same judgment as before, delivered and inflicted in the same solemn and awful manner, and terribly executed, for a breach of this law, and that too in the instance of a man, who only *gathered a few sticks on the sabbath-day*.

God having, in the *first table* of the law, provided for His own glory, worship, and service, proceeds in the *second* to publish His will concerning those relative duties, which men owe each other as children of one common *Father*. Accordingly—the *fifth* commandment enjoins duty * to *parents*—*Honour thy father and*

* The words of this law shew it to belong, in a very particular and especial manner, to the *Jews*—“*That thy days may be long in the land which the LORD thy GOD giveth thee.*” The land here meant is doubtless the land of *Canaan*, to take possession of which they were now journeying from *Egypt*.

But doth this *clause* so restrain this commandment to the *Jews*, as to exempt *Christians* from an obedience to it? Certainly not—because the *reason* of this law must ever survive, it having a moral intendment, in its enjoining reverence and duty of children to parents, which can never cease, 'till those relations shall cease from the earth. And this, as I have elsewhere observed, is the best rule to judge of every part of the *divine law*:—where the duties which that law enjoins, or those apparent

mischiefs

and thy mother, &c. God's jealousy over this law is such, that when the curses from mount *Ebal* were solemnly pronounced, *Deut.* xxvii. one of them runs thus—Ver. 16. *Cursed is he that setteth light by his father or his mother; and all the people shall say—AMEN.* In what a dreadful manner disobedient children were to be punished, appears from *Deut.* xxi. 18—21. *Lev.* xx. 9. See *Prov.* xxx. 17. The fearful example of *Abfalom* is recorded 2 *Sam.* xviii. 9, 14.

The sixth commandment forbids murder. The breach of this law stands marked with the heaviest doom on the offender, *Gen.* ix. 6. *Whoso sheddeth man's blood, by man shall his blood be shed.—Numb.* xxxv. 31. *Ye shall take no satisfaction for the life of a*

mischiefs which it was intended to remedy, equally concern or affect mankind at all times and places alike, there can be no reason for the cessation of the law itself, but its *duration* must be commensurate with that of the objects of it.

On this principle, those laws of *Exod.* xxii. 16. and *Deut.* xxii. 28, 29. which were apparently made for the security and protection of the female sex, must be as obligatory upon *Christians* as upon *Jews*. The mischiefs which have accrued from laying them aside, are dreadful to think on, but never can be remedied or put a stop to, but by the restoration of those laws to the respect and honour which are due to them.

murderer which is guilty of death, but he shall be SURELY put to death. Here is another instance of the reduplicatory emphasis in the Hebrew language—*מות יומת*—*Moriendo moriatur*—*dying he shall die*—noting the *certainty* of what is said. See the terrible examples of *Agag*, 1 Sam. xv. 33. *Abab* and *Jezebel*, 1 Kings xxi. 19. xxii. 34, 35, 38. xxi. 23, 24. 2 Kings ix. 30, &c.

The *seventh* commandment saith—*Thou shalt not commit adultery.*—We have already observed, that the uniform and unvaried use of the word *נאף*—which we have as uniformly and unvariedly translated *adultery*, relates to the defilement of a *betrothed* or *married* woman—that this word is used to denote the turning from God, who is the *husband* of His church, to *idols*, called *strangers*, Jer. iii. 13. So that it carries its own single *idea* with it wherever it occurs throughout the whole Hebrew scripture. That the *seventh* commandment therefore prohibits a woman's taking or going to any man but her *own, one, proper husband*, is too plain to admit of the least doubt. God's jealousy over this law appears from the *penalty* inflicted on the breakers of it, which is certainly *death*, both of the *woman* who was defiled,
and

and of the *man* who defiled her. Lev. xx. 10.

So jealous is God of the honour of this law, that even a *bare suspicion* which a man entertained of the chastity of his wife, subjected her to a most severe and awful *trial*, where, if she was guilty, God pledged Himself to discover it even by miracle—by turning a little harmless *dust* and innocent *water* into a deadly and destructive *poison*. Numb. v. 17, 22. None of this ever happened to a man who had taken, or was suspected to have taken, a *second* wife to his *first*—But why not, if the law equally reached his case? Can God be supposed to be less *jealous* of His law, if a man was *guilty*, or *suspected* to be guilty, of a breach of it, than in the case of *guilt*, or *suspicion* of guilt, on the woman's side? Why is *she* to suffer *shame*, the most excruciating *torments*, and even *death* itself, and the man on *his side* be free from even the least reprehension? Shall not the *Judge of all the earth do right*? Gen. xviii. 25.—But one good reason can be assigned for this difference, which is, that the woman *was condemned by the law*, the husband *was not*. This apparent distinction meets us every where throughout the *Bible*. If a wife took a

second husband, living her *first*, they were called *adulterer* and *adulteress*, and both the wife, and the man who took her, were to be *stoned to death*, and if any *issue* was born of such *commerce*, it was to be excommunicated *from the congregation of the LORD*, even to the *tenth generation*, Deut. xxiii. 2. Where is there any thing of this to be found on the man's side?—So far from it, the issue of a *second* wife, living a *first*, was expressly, by God's positive law, to be looked upon as legitimate as the issue of the *first*, Deut. xxi. 15. No excommunication of the issue followed.—The direct contrary appears from the instances of the twelve sons of *Jacob*, who were equally *heirs* to, and *inheritors* of the land of Canaan—of *Samuel*, who ministered to the LORD in the tabernacle in his very childhood—of *Solomon*, who built and dedicated the temple of God—and, in short, in every other instance, without exception, which we meet with in *holy writ*.

When *David* took the wife of *Uriah*, he was severely reprimanded by the prophet *Nathan*; but after *Uriah's* death, he takes the same woman, though he had other *wives* before, and no fault is found with him; nor is he charged with the
least

least flaw or insincerity in his repentance on that account. The *child* which was the fruit of his intercourse with *Bathsheba*, during her husband *Uriah's* life; God *struck to death* with His own hand, 2 Sam. xii. 15. *Solomon*, born of the same woman, begotten by the same man in a state of *polygamy*, is called *Jedediah*, or *beloved of the LORD*—acknowledged by God Himself as *David's* lawful issue, 1 Kings v. 5. and *as such set upon His throne*. All this, and much more which might be, and indeed has been mentioned, shews that *polygamy* is not, nor ever was, an object of the *seventh* commandment.—To assert that it is, is not only without evidence, but against all the evidence which the word of God affords us on the subject. Had this been an equal offence on the man's side as on the woman's, the *jealousy* of God *over his laws* would not have suffered him to have been silent on a subject so important to the glory of His HOLY LAW. Had it indeed been *any* breach of that law whatsoever, we must have found some traces of His anger against it, not *every where* have met with His entire acquiescence and approbation. Otherwise I know not how we can say with *David*, or how he, of all men,

and say—*Thy word is a lamp unto my
 feet, and a light unto my path.* Ps. cxix.
 105. There is not a single breach of the
seventh law that is not marked out, some-
 where or other, either *directly* or by
consequence, with tokens of God's dis-
 approbation and displeasure: but *this*
 is no where so marked; therefore we
 must either conclude, that we are left
in the dark concerning the meaning and
 import of the *seventh* commandment; or
 that *polygamy* is no sin against it: to con-
 clude the *first*, is an impeachment of the
holiness, wisdom, and justice of God; to
 infer the *second*, is to establish the con-
 sistency and harmony of the scriptures, in
 the character which they have given us of
 the *blessed* God, who is to judge His rea-
 sonable creatures by that law, which He
 hath commanded, and made known unto
 them. To imagine that the holy LORD
 God—whose *jealousy over His laws is such*,
 as to command a man to be *stoned to death*
 for a single breach of the *fourth* com-
 mandment, and that only *in gathering* a
 few *sticks* on the *sabbath-day*—should al-
 low, bless, own, and promote a breach
 of the *seventh* commandment, without a
 single instance to the contrary for *fifteen*
hundred years together—and of the ori-
 ginal *institution of marriage* (which is as
positive

positive a law as the other) for about *four thousand* years together—is wholly irreconcilable with the scripture-account of Him, whose glory it is to be of *purser eyes than to behold evil, and who cannot look on iniquity.* Hab. i. 13.

Superstition itself seems abashed at the idea, and, in order to maintain its empire over the minds of men, to retire behind those intrenchments of error, which, even in the days of the *apostles*, began to be thrown up by the heretic *Cerintus*, in that horrid position, that “the blessed *Æon*, who took on him “the person of the man *JESUS*, constantly opposed the God of the *Jews*.” However shocking this may sound in words, yet in truth and in fact it is maintained in substance, by those who represent the LORD JESUS CHRIST as a *new lawgiver*, and as enacting laws contrary to, or inconsistent with, the laws of the Old Testament; or who say with *Socinus*, that “CHRIST’S mission upon “earth was to exhibit to mortals a *new* “law, distinguished from all others by “its unblemished *sanctity* and *perfection*.” —Let us weigh the position, that “God “allowed *polygamy* under the Old Testament—but CHRIST forbad it as *adul-*

Under the New Testament," in the balance, we shall find, in all sense of reason, their *avoirdu pois* is so equal, that the weight of an hair, or the breath of a wind, would turn the scale.

Such is GOD's *jealousy* over His laws, that He positively commanded—none should *add to* them, or *diminish from* them. Deut. iv. 2. Whosoever did *either*, would be guilty of a breach of *this express* command; as such would be a *sinner*; for *sin is the transgression of the law*. To fix this on CHRIST, is an horrible blasphemy; and could it be proved, that in any one instance CHRIST *added to* or *diminished from* the law of GOD, by ordaining any thing contrary to or inconsistent with it, it would, as before observed, be making Him a greater impostor than *Mahomet*, who openly declared that he was sent to “destroy the law of the scripture, and “to set up another of his own:”—whereas CHRIST declared, He *came not to destroy the law, but to fulfil it, and that not one jot or tittle should pass from the law*. But how could this be so, if CHRIST made that *sinful* which GOD made *lawful*?—if He repealed the *old* moral law, and set up a *new* one of *His own*? Those who can imagine such things, little consider

sider the scripture-character of that *jealous* God, who declares so peremptorily by the pen of Divine inspiration—*I am JEHOVAH, that is My name, and MY GLORY I will not give to another.* Is. xlii. 8. The power of the *divine legislation* is an essential part of HIS GLORY, which is incommunicably *His own*, and which never *was*, or *will*, or *can* be communicated to any other. When one of the *persons* in JEHOVAH covenanted to take on Him the name and office of a *Son* (see *Heb.* i. 5. latter part, with *Matt.* iii. 17.) and was to assume the human nature as the *second Adam*, He was to be *made of a woman*, *made under the law* (*Gal.* iv. 5.) not *above* it. It is said, *Phil.* ii. 7. that He—ἐκένωσε—*emptied Himself*—that is, of the *glory which He had with the Father before the world was* (*John* xvii. 5.) and was made man—took on Him the *form of a servant* (Δσλες—of a slave) not of a *sovereign and lawgiver*. So far from exercising such a power, He even refused to interfere in determining a question of *private property*, *Luke* xii. 13, 14. saying—*Man, who made me a judge, or a divider among you?* And so far from aiming at *kingly power* (a main branch of which is *legislation*) when He perceived that they

would

would come and take him by force, and make Him KING, He departed into a mountain Himself alone. John v. 15.—He had indeed a kingdom, but not of this world. John xviii. 36. not an earthly, but an heavenly kingdom, where they neither marry nor are given in marriage, but are as the angels of God. Matt. xxii. 30.

The small attention which the primitive Christians and fathers paid to the jealousy of God over His laws, was greatly owing to their ignorance of the Hebrew scriptures, consequently of the true meaning of the Old Testament. They too much separated the New Testament from it, making the latter a sort of new system by itself, and governing themselves by what they called the precepts of CHRIST, not considering that these precepts had their foundation and authority from what was written in the Old Testament. Hence, for want of comparing the New Testament with the Old, they got into their extravagant and wild opinions about marriage. For instance—CHRIST said—*There be eunuchs which have made themselves eunuchs for the kingdom of heaven's sake; he that is able to receive it, let him receive it.*—This was presently turned into a discouragement of marriage, as less pure and holy in itself than

than a *single life*, inasmuch that the famous * *Origen*, who allegorized all the rest of the New Testament, took this passage literally, and actually *castrated* himself. His example was followed by many others, till the practice was condemned, under the name of *autophony*, or *self-murder*. Those who committed this violence on themselves, “ were called by “ the *apostles* *canons*, *Ἀυτοφονεύται*, *self-murderers*—*Ἐχθροὶ τῆς τοῦ Θεοῦ δημιουργίας*, “ *enemies of God’s workmanship*.” See *Hammond* on *Matt. xix. 12*. Others, who did not go so far as this, yet held marriage to be a *carnal* thing, and unfit for the *chastity* and *purity* of *Christians* †. Thus, to avoid what the *Devil*, transformed into an *angel of light*, taught them

* *Origen* flourished in the *third century*, and was almost the only one among those early *fathers* who understood *Hebrew*; but the advantage which this might have been to him, was all lost by an irregular and wild fancy, which led him to interpret the scripture upon the principles of the *Platonic* philosophy, and which this great man set up as a test of all *religion*. He so allegorized the scripture, that the *letter* of it lost all its meaning and importance.—Thus did he open a secure retreat for all kind of *errors*, that a wild and irregular imagination could bring forth. See 1 *Mosheim*, p. 140, 141, 142.

† The persuasion was almost general in the *third century*, that they who took *wives*, were of all others most subject to the influence of malignant *dæmons*. 1 *Mosh.* 137.

to

to esteem a *filthiness of the flesh*, they fell into the *spiritual filthiness* of making themselves *wiser* and *holier* than God. Had they gone to the only fountain-head of all true interpretation, the Old Testament,—had they enquired by *whom*, and for what purposes, *marriage* was instituted—they would have seen that the *law* was *holy*, and the *commandment* *holy, just, and good* which ordained it. They would have likewise seen that the *first blessing* which ever came from *Heaven* to earth, after the creation of man upon it, was annexed to that command—*Be fruitful and multiply, and replenish the earth*, Gen. i. 28.—that, so far from a *single* life being more *holy* than a *married* life, the LORD GOD said—*It is not good for man to be alone, I will make him an help meet † for him*. Gen. ii. 18.—that *marriage* itself was ordained by God *Himself*, as consistent with the *perfect* innocence of man's state in *Paradise*, while he stood in the *likeness* and *image* of God, therefore no impurity or defilement could belong to it. For all these reasons, it is impossible that CHRIST should mean

† *As before him*. Eng. Marg. *I will make for him an help, one like himself*. BATE. *A counterpart, or one corresponding to himself, such as the reflection of a man's self which a glass or water sets (נגד) before him*. Id. note on Gen. ii. 18.

by what He said, that *marriage* is less *holy* and *pure* than a state of *celibacy*, or less becoming the *Christian* profession. This He did *not* mean. What He *did* mean, Matt. xix. 12. was (as we may humbly suppose) that in the times of the *infancy* of the *church*, when surrounded by persecution, and every opposition that earth and hell could give it, even death itself threatening on all sides the profession of the gospel, it was expedient that those who were to *preach* and *profess* it, in the midst of a *crooked* and *perverse* generation (Phil. ii. 15.) should keep themselves *disentangled* from worldly engagements as much as possible (see 2 Tim. ii. 4.) and especially from those ties which might tempt them to withdraw from the work they were called to, by attention to *family concerns* (see 1 Cor. vii. 32, 33, 35.) or perhaps to deny the *faith*, if they were called to *suffer* for it. Now, whoever preferred these considerations before even the *lawful* indulgence of a *married* life, for the sake of the *gospel*, so as to remain *single* on this account, might truly be said to *make himself an eunuch* for the *kingdom of heaven's sake*. This exactly harmonizes with 1 Cor. vii. in which the *apostle* says so much in favour of a *single life*, but explains

plains the whole drift of his discourse, ver. 26. to relate to' the then *distressed* state of things:—but as for *marriage itself*, he says, Heb. xiii. 4. *It is honourable in all**. Had it not been so, we should hardly have seen our Saviour beginning His miracles at a *marriage-feast*—thus sanctifying by His presence this *primary ordinance* of GOD. *John* ii. 1—11.

From this want of comparing *spiritual things with spiritual*, they ran into all those extravagancies about *second marriages*, looking on them as abominable, forbidding *ecclesiastical* persons to be present at them, and counting little better than *whoredom* and *adultery* a man's marrying a *second wife* after the death of a *first*; thus making out notions of *purity* and *holiness*, which consisted in nothing better than *calling that which GOD hath cleansed, common and unclean*. *Acts* x. 15.

* The apostle adds καὶ ἡ κοίτη ἀμίαντος, and the bed (that is the *marriage-bed*) is undefiled. For I take it the verb ἐστὶ—is—must be supplied here as well as in the preceding sentence—τίμιος ὁ γάμος, which our translators have rendered—*marriage is honourable*.—Why not also render καὶ ἡ κοίτη ἀμίαντος, and the bed is undefiled? that is, not less pure than the bed of a single person. This connects the latter clause with the former, and makes the sense entire and complete, and would have saved a deal of *commentatorial ingenuity* on the word *undefiled*.

All

a *polygamist* as worthy of *death*, actually makes him a *felon*, and ranks him, in this respect, with *thieves* and *murderers*. This *wise* law was made in the *wise* reign of the *wise* James I. and stands in the statute-book next before the act which forbids persons to “*consult with, covenant with, entertain, employ, feed, or reward any evil and wicked spirits.*” —This was repealed 9 Geo. II. though it had *some* countenance from scripture—but *polygamy* has still the brand of *felony* remaining upon it, though there is not a tittle in the word of God against it. Exod. xxii. 18. saith—*Thou shalt not suffer a witch to live*: but no where does the law of God forbid *polygamy*: so that all that has been written, spoken, or enacted against it, from the days of the primitive *Christians* and *fathers* to this hour, or may continue so to be, is as void of all warrant from God’s law, nay, is as opposite to it, as hanging a *priest* for *marrying at all*, under the statute of 31 Hen. VIII. c. 14. while it remained in force, or the *ousting a man of his clergy* under the stat. Ed. 1. for having been *twice married*—or for *roasting a fellow-creature alive* under the writ *de hæretico comburendo*. All these things were most highly honoured, and most *piously* re-

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spected,

spected in their day, however inhuman, barbarous, antisciptural, and unjustifiable, they may now appear to us.

Had the *jealousy* of mankind over the *law* of God, been at all times what it ought to have been, that *divine rule of right* had never been deformed and disgraced by *human invention*, and we never should have found men taking upon themselves to sport with the *consciences* and *lives* * of their fellow-creatures, as the humour, fashion, or superstition

* In the Commentary on the *Marquis of Beccaria's* Essay on *Crimes and Punishments*, c. xiii. the commentator, who is supposed to be M. de *Voltaire*, exclaims—"Is it credible that there formerly existed a supreme tribunal more horrible than the inquisition, and that this tribunal was established by *Charlemagne*? It was the judgment of *Westphalia*, otherwise called the *Vhemie* court. The severity, or rather the cruelty, of this court, went so far, as to punish, with death, every *Saxon* who broke his fast during Lent. The same law was also established in *Franche-comté*, in the beginning of the 17th century.

"In the archives of a little place, called *St. Claude*, in *Burgundy*, are preserved the particulars of the sentence, and verbal process of execution, of a poor gentleman named *Claude Guillon*, who was beheaded 28th July, 1629. Being reduced to the utmost poverty, and urged by the most intolerable hunger, he ate, on a *fast-day*, a morsel of horse-flesh. This was his crime.

superstition of the times dictated. What the answer of the *Barons* was to the request of the *Prelates*, as related in the famous statute of *Merton*, 20 Hen. III. would, with a small, but important variation, have been the language of every succeeding parliament, and, instead of *Nolumus leges Angliæ mutare*—it would have been said *Nolumus leges Dei mutare*.

“ He was found guilty of sacrilege. Had he
 “ been a rich man, and had spent two hundred
 “ crowns in a supper of sea-fish, suffering the poor
 “ to die of hunger, he would have been considered as a person fulfilling every duty.”

However horrible the above instances may appear, however shocking to humanity, as well as to all true religion, it may be, for one set of mortals thus barbarously to sport with the lives of another—yet there is not any thing above mentioned, which is not as much founded on the authority of God, as making a man a *felon*, and to suffer death as such, for having *two wives* at a time.

The very sensible reasoning of the *commentator* upon the fate of *Claude Guillon*—“ Had he been a
 “ rich man,” &c. will also, with very little variation, apply to the other case—for, had the man who was doomed to death for having *two wives* of his own, only debauched a dozen *wives* of other people, he would have been free from that sanguinary law. One would almost think, that such laws as these were made “ that there might remain no species of atrocious folly, which hath not entered into the heart of man.”

Still

Still *the LORD is King*—His dominion is over all—the laws of His kingdom, both in *heaven* above, and in the *earth* beneath, are as unchangeable as himself—they are the transcripts of His mind and will, and the *unalterable rule* of His moral government over His reasonable creatures. No time, place, or age can change their obligation. As His law is the same, so is *His jealousy over it*.—Were the first causes of *public* and *private* distress and calamity more attended to than they are, men might see this truth, written in legible characters on all their afflictions and miseries—*GOD is a jealous GOD*.

I have before spoken on the notion of *antiquating* the laws of GOD, and leaving them out of our *system*, as “having nothing to do with the more modern days of *Christianity*; that *Christians* are governed by *another rule*, and people are not to do *now* as they did under the “*Jewish law*.” This may appear plausible to those who want to *break* His bonds asunder, and cast away His cords from them—Ps. ii. 3.—without the trouble and vexation of a guilty conscience; or who are ignorant enough of the *nature, use, and properties* of the *divine law*,

law, to imagine that it is superseded by what they call the *law of the gospel*. This idea is so general, that it would ill become a writer on the subject of this *chapter*, to spare the pains of once again considering these *dangerous but fashionable tenets*.

It is a true and solid maxim, with respect to the *laws of God*, as well as in *human jurisprudence*, “ ubi eadem ratio “ ibi idem jus—“ *where there is the same reason for it, there the law must be the same.*” This is a good criterion by which we may judge between those laws which *are waxed old and vanished away*, and those whose obligation must ever remain. According to this rule, we may safely determine on the *obsolescence* of the whole *ceremonial law*—as likewise on that of those *particular laws*, which could only relate to the peculiar situation of a peculiar people. But there is the same reason *now* as ever, why we should *have no other Gods but JEHOVAH*—why we should not *make images and worship them*—why we should not *take the name of the LORD our God in vain*—why we should *set apart a portion of our time for the immediate service and worship of HIM that made us*—why we should *honour our parents—do no murder—not commit adultery,*

*adultery, by defiling our neighbour's wife—why we should not steal—bear false witness, or covet that which is another's:—we have therefore very properly adopted these commandments into our public service, read them in the ears of the people every sabbath-day, and pray for mercy on account of our sins against them, and that God would write all these His laws within our hearts, inclining our hearts to keep them. We have made other commands of God the ground of some of our penal laws—such as those against unnatural lusts—and doubtless there is the highest reason why this should be so. Why then do we make void other laws? why make other commandments of God of none effect through our traditions? Why is a virgin, who gives her person into the possession of the man of her choice, less one flesh with him now, than when God said—*She shall be his wife, &c*? Why do we now put asunder those whom God then joined together? Is there not the same reason of their indissoluble union now as when it was said—*They shall be one flesh; because he has humbled her, he may not put her away all his days*? Is the divorcing or putting away the woman less against*

GOD's ordinance, or attended with less mischief and inconvenience, than it was *three thousand* years ago? Let the poor, deluded, helpless, and forsaken wretch, who is wasting with disease, perishing with cold and nakedness, fainting with hunger, give the answer!—let thousands, that, like her, have been deceived and ruined, declare what answer can be given. Could the unhappy, desperate creature, who is sharpening her knife for her *new-born infant's* throat,—the wretch whose horror makes her *forget her own child, so that she has no compassion on the fruit of her womb*, II. lix. 15.—could she be asked the reason of her cruelty, she would tell us that it originated from *shame and fear* (fixed on her by the *inventions of men*) which prompt her to avoid the *censure of the world* so as to overwhelm every other consideration. Nor could it be made to appear, that such misery finds more alleviation from the want of *power* in a *married* man, than from the want of *will* in a single man, to prevent it.

All this is owing to the frame of our laws—to the unscriptural and *antiscip-tural* power assumed by man in *things relating to God*—to our making *marriage* and its *obligation* consist, not in what
 GOD

GOD hath made them to consist, that is to say—simply in the *union* of the parties—but in the words of a *priest*, in the sanction of an human outward ceremony, in a *lye* *, invented at *Rome*, adopted by the ambition and avarice of *Pope Innocent* the III^d. and his clergy, and from them handed down and received, by the credulity of mankind, ever since. *Hinc illæ lachrymæ* ! Hence flow the tears of the seduced, the deserted, the ruined *female*—hence heave those *sighs* which affect none but the heart they come from, and which serve to little other purpose than to grace the triumphs of lust, perfidy, and treachery, over *justice, mercy, and truth*. Custom has fixed the odious name of *whore*, on her whom God accounts a *wife*—*whoredom and fornication* on that which he calls *marriage*, by positively establishing it as such in *His word*—*bastardy* is stamped on those

* *Viz.* That *marriage* is a *sacrament*, and as such must be administered by the hands of *priests*. Afterwards the Council of *Trent* decreed—“ If any shall say that *matrimony* is not one of the *seven sacraments* instituted by *CHRIST*, and doth not confer grace—*Let him be accursed.*”

Again—“ If any shall condemn the *benedictions* and other *ceremonies*—*Let him be accursed.*” See *Brent Coun. Trent.* p. 784.

whom God legitimates—and those are put asunder whom God for ever joins together.

The Hebrew זונה—which we translate an *harlot* or *whore*—like the Greek πορνή, denotes a woman, who from a principle of lust, idleness, or avarice, bestows or sells her favours promiscuously to all men alike: whereas the *virgin* who bestows *her person* on the man of her choice, with an intent to be *his* and *his alone*, so long as both shall live—or being *enticed*, or even on a more sudden occasion *seduced*—is in the language of scripture the זונה—or *zonah*—the *woman* or *wife* of that man from that moment. He is bound to maintain, protect, and provide for her as such; and no ceremony of man's invention can *add* to this obligation, or the want of it make any *diminution* from it, in the sight of God. Our ideas of *bastardy* are derived from the former error, and are very consistent with it: we first, without all warrant from scripture, make the woman an *whore*, and then as unwarrantably stamp the name of *bastard* on the issue: whereas the word זמור denotes the issue of a זונה or *harlot* (ἐκ πορνῆς—say the LXX, Deut. xxiii. 2.) who by having promiscuous

cuous intercourse with different men, must render the issue *spurious*, and uncertain to *whom it belongs*. For this reason the issue of an *adulteress* is also properly a *bastard*; because if a *wife* gives her person to others besides her *husband*, the issue must be as uncertain to whom it belongs as the issue of an *harlot*.

Nor was a man who, having *one wife*, took another, ever called or reckoned an *whoremonger* or *adulterer*—nor was the woman which he so took called an *whore*, or said to commit *adultery* with the man—nor was the *issue* of such woman by that man deemed a *bastard*,—but the whole was by the *divine law* ratified, confirmed, and deemed *lawful* and *right*, as hath already been shewn at large.

In short, the whole system of our laws, in these respects, is like the systems of the *Scribes* and *Pharisees*, who took as much of *God's law* as suited with their own *traditions*, and rejected all the rest. The passage Mark vii. 9. &c. is very striking—*He said unto them, Full well ye reject the commandment of God, that ye may keep your own traditions.*

For

For Moses said, Honour thy father and mother; and whoſo curſeth father or mother, let him die the death;—But ye ſay, If a man ſhall ſay unto his father or mother, it is Corban, that is to ſay a gift beſtowed and devoted by me to the temple-treafury, for the repairs or ſervice of the temple, according to King Jeboah's institution 2 Kings xii. 9.) by whatſoever thou mighteſt (otherwiſe) be profited by me, he ſhall be free; and ye ſuffer (or permit) him no more to do ought for his father or mother, making the word of GOD of none effect through your traditions which ye have delivered: and many ſuch-like things do ye. Let us modernize this—Moses ſaid, that if any man (זנה) entices a virgin not betrothed, and lies with her, he ſhall ſurely endew her to be his wife. She ſhall be his wife; becauſe he hath humbled her, he may not put her away all his days. But ye ſay, that if a man entice a virgin, &c. and ſay unto her—“ I have not been married by a prieſt at church, according to act of parliament—therefore I have no more to do with thee”—he ſhall be free, and ye ſuffer him no more to do ought for her, nor permit her to claim him as her huſband.

Again

Again, Moses said—*If a man have two wives, the one beloved, the other hated, and they have borne him children, &c. then it shall be, when he maketh his sons to inherit that which he hath, he may not make the son of the beloved first-born, before the son of the hated, which is indeed the first-born. But he shall acknowledge the son of the hated for the first-born, by giving him a double portion of all that he hath; for he is the beginning of his strength, and the right of the first-born is his.* But ye say, that if a man, having a wife, marieth another, such marriage is null and void; that the issue is not inheritable, but shall be bastardized.

Again, Moses said—*The man who committeth adultery with another man's wife, even he that committeth adultery with his neighbour's wife, the adulterer and adulteress shall surely be put to death.* But ye say, that if a man hath two wives of his own, he shall be deemed a felon, and suffer death as such—whereas if he committeth adultery with another man's wife, he shall be free:—thus condemning those whom God acquits, and acquitting those whom God condemns, making the word of God of none effect, through your traditions

and delivered: and many

jealous God; that is
with respect to His laws,
on the sacred page,
manifested throughout the
divine revelation. So those
Jews found it in the dreadful
curse which He sent upon them.
 They could not justify themselves by
 appealing to their *traditions*, nor repair
 the dishonour which they had done
 to the divine law, by vacating its ob-
 ligations in order to establish their own
 inventions. However *pious* or *pure* they
 might seem in their *own eyes*, or in
 the eyes of those who were deluded
 into as high an esteem for *human tra-*
dition as they themselves were, yet they
 found to their cost—and so will every
 one, sooner or later, who sets up human
 wisdom against the *wisdom of God*, and
human inventions against the *ordinances*
of Heaven—that *the wisdom of this world*
is foolishness with God, (1 Cor. i. 20.)
 and—that *which is highly esteemed among*
men is abomination in the sight of God.
 Luke xvi. 15.

Happy those whose passions have so
 little power over them, and those who
 have

have so *much* power over their passions, as to steer clear of all difficulties. But this is not the lot of all. The *apostle*, speaking on this subject, 1 Cor. vii. 7. says—*Every man hath his proper gift of God, one after this manner, and another after that.* So His Divine Master, speaking also on the gift of continency, saith—Matt. xix. 11.—*All cannot receive* (ὅτι χωροῦσι, *do not receive*) *this saying* (viz. it is not good to marry, ver. 10.) *save they to whom it is given.* The scriptures shew us, that no one, while in a *body of sin and death*, is out of the reach of temptation: therefore *let him that is thinking to stand* (ὁ δοκῶν ἐσθῆναι) *take heed lest he fall.* Yet when persons are involved in difficulties, by means of any of the things heretofore discoursed upon; let them not consult with *flesh and blood*, and, by following *vulgar error*, under the influences of *superstition* and *prejudice of education*, endeavour to right themselves by *wrong methods*, and be led, under a notion of *repentance*, to act contrary to God's word, and to every principle of humanity, gratitude, truth, benevolence, and even common honesty, by abandoning and forsaking
those

those who have a right to their assistance, comfort, and protection:—Let them, under the guidance of *real* prudence and *sound* discretion, regulate their outward conduct so as to avoid all needless offence; but let the *inward* conduct of the *conscience* be subject *only* to the *law* of GOD.

As to the *world*, it *loves its own* (John xv. 19.) its own maxims, customs, and inventions, and, above all, its *own* ease, too well to give itself the trouble of enquiring into the foundation on which either what it *believes* or *professes* is *built*. The *Papist* jogs on with his *Mass-book*—the *Turk* with his *Koran*—the *Persian* with his *Zend-avesta*—the *Gentoo* with his *Sbafter*—the *Chinese* with his *Confucius*—the *Englishman* with his *Marriage-Act*; and nothing is so ill received—because nothing so attacks the *pride* and exposes the *ignorance* of one part of mankind, and the *knavery* of another—as the discovery of the superstition, folly, and opposition to GOD, which cleaves to *worldly systems*, especially those of the *religious* kind. Still individuals may be profited, and thankful, to be shewn,

that, in many things, perhaps the most important, whereon the preservation of *millions* may depend, they have been taught to *believe a lye*, and that while they have been following the *opinion* of the world, even of what passes (like the *Pbarisees*) for the *devout* and *pious* part of it, they have been only *following a multitude to do evil*. Exod. xxiii. 2.

C H A P. X.

Of POPULATION.—*Comparison of the*
JEWISH LAW *with* OURS.

W H E N we search the scripture, and take an impartial view of the *divine law*, we must acknowledge its harmony and consistency, both with respect to itself, and all things which are the objects of it. It perfectly agrees with its original designs, the glory of God and the happiness of his creatures. In no instance doth this observation appear more true, than in that part of the sacred code which is to regulate the *commerce of the sexes*. The brute part of this lower creation is restrained by a sort of *physical necessity*, which is usually called *instinct*, within due bounds; so that the several species may be kept distinct, and not create a monstrous confusion from unnatural or im-

2

proper

proper mixtures; and though, partly from the inventions and contrivances of men, contrary to the positive law of GOD—Lev. xix. 19.—animals, both among beasts and birds, have been generated, yet it can go no farther; it is stopped in the first instance, and no *mule** is known to carry the confusion any farther than itself.

With regard to reasonable beings, it pleased the CREATOR to enact and publish *written laws*, the moral obligation of which, was to circumscribe and regulate their actions. Whether these wise statutes are departed from by those whose infidelity and malicious contempt reject them utterly—or by those who, under a mistaken notion of greater *purity* and *perfection* than they are supposed to prescribe, make themselves *wiser* and *holier* than the divine *Law-giver*—the effect will be much the same, as

* I believe no instance can be produced of the male and female *mule* propagating with each other. As to what *Buffon*, or others, may have said of the *she-mule's* bringing forth, I cannot help entertaining great doubt of the truth of it, as well as of the *he mule* engendering with a *mare*; as I never heard of such a thing being attested, on the knowledge of any person whom I have yet met with.

to the grand objects which these laws are to promote. These are, 1. *The propagation of mankind.* 2. *The prevention of confusion, and every evil work.*

The first general commandment was — *Be fruitful and multiply, and replenish the earth, and subdue it.* Gen. i. 28; which last words, taken in connection with the beginning of the verse, and with what follows, clearly prove, that this command was addressed in an especial manner to the human * species, *then wholly in the loins of their first parent.* To suppose that every law given to mankind subsequent to this first ordinance, was calculated to promote it, is certainly consonant with the highest reason, and accordingly we find this to have been the case. *Celibacy* was hardly known among the ancient *Jews*, they looked on it with abhorrence, and considered it as a reproach; and we find, that their whole œconomy, with respect to marriage, all tended to the fulfilment of that promise to *Abraham*, Gen. xv. 5. that his *seed should be as the*

* It is remarkable that this command was repeated a second time, to *Noah* and his sons, with a *blessing* also, on the renovation of the earth after the flood. Gen. ix. 1, 7.

*stars of heaven for multitude. Moses—*Deut. i. 10.—even at their arrival on the borders of *Canaan*, declares this to be the case. Marriage was looked upon as a sacred duty, whose chief end was population, and population as the riches, strength, and blessing of the state. No impediments or difficulties were, therefore, laid in its way—all promiscuous intercourse of women with men, which *Montesquieu* justly styles the bane of population, positively forbidden—the honour of their wives, the chastity of their daughters, were secured by the wisest institutions; and thus they became populous, prosperous, and happy.

From this scene of things, let us advert to that which is daily before us, since *Christian* churchmen have invented other *schemes* of marriage, and *Christian* politicians have found out other *maxims* of population. What swarms of unmarried people fill our capital and counties! Some through caprice and voluptuousness, others through misery and indigence.—Could we form a just calculation of the *marriageable* of both sexes, who have no thought of altering their condition, and of those multitudes who live and die in *celibacy*, we should see the

true reason why our *fleets* want sailors, our *armies* men—why we so sensibly feel the emigrations of people to our colonies abroad—why we complain of scarcity of people, and see so many thousands of acres lie uncultivated and uninhabited—and why we are forced to have recourse to *foreign auxiliaries* in our days of common danger. The reason of all this is, we have not *people enough*; the cause of which is, that the whole system of our laws is inimical to *population*; whereas the *divine law*—which we have banished, as not *pure* and *bold* enough for *Christians*, but which was sufficiently so under God's *own immediate government* of His *own people*—has every ingredient in it, which, were it sufficiently understood and attended to, would remedy all the evils we complain of. There * luxury is forbidden, debauchery,

* Mr. Coxe, *Sketches of Switzerland*, p. 311. observes, that *Lausanne*, and the whole *Pais de Vaud*, is much less *peopled* than in the *last* century: This depopulation, says he, “is owing to the encrease of luxury, which prevents the gentry from entering into matrimonial engagements so generally as they were heretofore accustomed.”

We may certainly, in a great measure, apply this observation to our own country, and look upon

bauchery, and all enticements to it, are proscribed, under the severest penalties. No publications of banns, inconvenient terms of residence, expensive licences, nor human ceremonies, were then invented, as constituting the marriage in God's sight; all stood on the simplicity of the divine institution: the consent of the parties formed the contract, the *union* of their *persons* completed it; and God's blessing crowned the whole. The demands for women in marriage were too great, and the punishment of forbidden lewdness too severe, to leave a portion for the purposes of profligacy and prostitution: whereas, with us, I question whether the numbers of *married women* are greatly beyond those of *harlots* and *prostitutes*, at least in many parts of the kingdom; however this may be, the *married* bear no sort of proportion * to the *unmarried*.

I must

upon *luxury*, for the same reason, as one cause of our *depopulation*: but more especially when we cannot confine its mischiefs to *one part* of the people, but must consider it as pervading the *whole mass*, from the *highest* to the *lowest* orders of men.

* For the proportions which marriages bear to births, and births to burials, in several parts of *Europe*, Mr. *Derham* has given us a curious table; from which it appears, that *marriages*, one with

I must confess myself to have but little genius for the science of calculation; but perhaps *Demoivre* himself would not find fault with my supposing, that to every marriage we may allot, on an average, *four children*. Let us say, that 20,000 * females are, in the space of seven years, rendered *barren* by *prostitution*, who would otherwise, under the sobriety of *matrimony*, have produced *four children* each. Here is a defalcation of 80,000 people from the community. To these let us add 100,000 more, who, from various causes † unknown to the *Jewish* polity, die *unmarried*, and who might otherwise have produced four children each. Here is a

another, do each produce about *four births*, both in *England* and other parts of *Europe*. And by Mr. King's computation, about *one* in an *hundred and four* persons marry; the number of people in *England* being estimated at *five millions and an half*, whereof *forty-one thousand* annually marry. See *Chambers*, tit. Marriage.

* In this calculation I include the whole of *Great Britain*: were it to be extended to *Ireland*, and to the rest of the *British* dominions, it must be very short of the truth.

† Among others, the unlimited power of the men to seduce and abandon women at their pleasure—which must promote *celibacy* in the men, and of course leave an amazing number of females unsolicited in marriage.

subtraction

subtraction of 400,000 more. These make together 480,000. Let us suppose all this to happen in *every seven years*, then the average of our loss, in every space of *twenty-one years*, will be 1,440,000. Deduct for casualties of various kinds happening to the children, *two thirds*, and there will remain a loss of 480,000 people to the community in that space of time. Let us carry on this calculation for but *one century*, and the loss will, in that time, amount to 2,400,000 and upwards. This small imperfect sketch will serve to shew why the *Jews* were, in the space of about * 215 years, that is to say, from *Jacob's* coming into *Egypt* with *seventy* souls, to the *Israelites* arrival on

* The *sojourning* of the children of *Israel*, who dwelt in *Egypt*, is said (Exod. xii. 40.) to be 430 years, but this does not mean that they were so long in *Egypt*—for they were *strangers in a land that was not theirs* (see Gen. xv. 13.) partly in *Canaan*, partly in *Egypt* (see Exod. vi. 4.)—It is to be noted, that from the birth of *Isaac*, when the 400 years mentioned in Gen. xv. 13. began, to their deliverance out of *Egypt*, was just 405 years; if we add to this the 25 years from *Abraham's* coming into *Canaan* to the birth of *Isaac*, the total is 430 years. This, divided into equal parts, makes 215 years in *Canaan*, and 215 years after they went into *Egypt*.—This is the computation of the *antients*, as well as of the later writers. See *Patrick* on Gen. xv. 13.

the borders of *Canaan*, increased as the *stars in heaven for multitude*—and why we are complaining for *want of people*. It is true, that the increase of the *Jews*, which, even under the disadvantages of the *Ægyptian* bondage, was so prodigious as to alarm the government, (Exod. i. 9, 12.) was by a special blessing from Heaven, in fulfilment of that promise to *Abram*, Gen. xv. 5; but then the means by which this was effected, was their having a law, which respected the *great first command* of the CREATOR—was favourable to marriage, and of course to *population*. Though this law was not reduced to writing till after the *Exodus*, yet enough of it was known by tradition, to check *adultery*, *whoredom*, and all destructive intercourse of the sexes, and thus to promote the interests of *population*. They did not hang people for † *polygamy*, but honoured marriage in all, where GOD had not forbidden it. The permanency and unchangeableness of their law, accounts for the permanency and unchangeableness of its effect; the populousness of the *Jewish* nation, is at this hour incredible; if all that are

† In antient times *celibacy* was rare, *polygamy* almost universal. *Jews* letters to *Voltaire*.

dispersed

disperſed throughout the globe were gathered together, I doubt whether they would not appear to be as * numerous as at any period of their moſt prosperous eſtate.

As for the *Chriſtians*, they ſat out on a plan oppoſite † to all this ; they began
very

* The Italian rabbi, *Simon Luzatier*, reckoned up 90,000 *Jews* at *Salonica* and *Conſtantinople*, and more than a *million* of them in the *Turkiſh* dominions. When we conſider that there is no part of the world where *Jews* are not found, we may well ſuppoſe their numbers to be immenſe. Vide *Jews* letters to *Voltaire*, vol. ii. 173—176.

† “ *Conſtantine*, the firſt *Emperor* under whom
“ the ſtate forſook the gods of their forefathers, and
“ became *Chriſtian*, together with this alteration,
“ abrogated thoſe antient *Roman* laws, *Julia* and *Papia*, wherein the *deſire of women and married life*
“ were ſo much privileged and encouraged, and *ſingle*
“ and *unmarried life* diſadvantaged. Hear it in the
“ words of *Sozomen*, lib. i. chap. 9. *Hiſt. Eccl.*—
“ *There was*, ſaith he, *an antient law among the*
“ *Romans*, *forbidding thoſe, who after 25 years old*
“ *were unmarried, to enjoy the like privileges with*
“ *married ones ; and beſides many other things, that*
“ *they ſhould have no benefit by teſtaments and legacies,*
“ *unleſs they were next of kindred : and thoſe who*
“ *had no children, to have half their goods conſiſcated.*
“ *Wherefore the EMPEROR, ſeeing thoſe who for GOD’s*
“ *ſake were addiſted to chaſtity and virginity, to be,*
“ *for this cauſe, in a worſe condition ; he accounted it*
“ *a folly for men to go about to increaſe their kind*
“ *with ſuch carefulneſs and diligence, when as*
“ *nature,*

very early to represent *celibacy* as most pleasing to God, condemned marriage, of course execrated all *second* marriages, found

“ nature, according to *Divina* moderation, continually receives as well diminution as increase.

“ Therefore he published a law—that, both those who lived a single life, and those who had no children, should enjoy like privileges with others: yea, he enacted that those who lived in chastity and virginity, should be privileged above them; enabling both sexes, though under years, to make testaments, contrary to the accustomed polity of the Romans. This alteration of the Roman law by Constantine, EUSEBIUS also witnesseth, lib. iv. chap. 26. *de vita Constantini*; and again, chap. 28. where he saith, that above all, he honoured most those that had consecrated their lives to divine philosophy—he means a monastical life—and therefore he almost adored the most holy company of PERPETUAL VIRGINS.

“ That which the fathers had thus enacted, the sons also seconded, and some of the following Emperors, by new edicts, ’till there was no relique left of those antient privileges, wherewith married men had been respected; which Procopius saith (how rightly I examine not) was the cause of the ruin of that empire, which was so much enfeebled and weakened, that it was not able to match the numerous armies of the barbarous nations,

“ This was the first step” (he must mean by public authority of government) “ of the disregard of marriage, and the desire of wiving; which was not an absolute prohibition, but a discouragement. No sooner had the Roman bishop and his clergy got the power into their hands, but it grew to an absolute prohibition, not for monks only, but

found out schemes of *holiness* by which millions of men and women have been lost to the world, and held forth the gospel as inimical to the first great commandment ;—*purity* was to be found in *celibacy*, which they miscalled *chastity*, and *defilement* * in marriage, which they reckoned “ too carnal for the *Christian* dispensation.” The conceits of enthusiasts, the dreams of monks, the sophistry of schoolmen, were enlisted against the ordinance of Heaven, ’till the church of *Rome* made it the object of its *tyranny*† and

“ but for the whole *clergy* : which was the highest
“ disrespect that could be, to that which God had
“ made *honourable among all men.*” *MEDÆ’S Works*,
p. 672.

Nobis & monachis (saith *Chrysostome*, who was made *Bishop* of *Constantinople* anno 398.) *omnia mandata legis sunt communia*, πᾶν τὸ γὰρ. “ All
“ the commandments of GOD’s law are common to
“ us with monks, besides marriage.” Wherefore in the council of *Chalcedon* is an express *canon*—
c. 16.—*Ut nec Deo dicata virgo nec monachus nubant.*—“ That no nun nor monk should marry.”
See *Mede*, p. 688.

Such were the *saints* of *Antichrist* !

* *Epiphanius*, a writer of the fourth century, mentions a set of early heretics called *Severians*, who were so *pious* as to affirm, that, “ woman was
“ the work of *Satan*, and that marriage was *diabolical*.”

† Witness *Pope Innocent the Third*’s throwing it into the hands of *Ecclesiastics*, and establishing ceremonies,

and *ambition*, Protestants a *creature* ‡ of *the state*, and the great Author of our religion is called in, as an abettor of their monstrous opposition to the divine law.— They have changed His truth into a lye, and have set Him at the head of their § rebellion against the *holy commandment* once delivered to His people.

Our laws may truly say of *themselves*, as we may say of *ourselves*—*Mutamur in boras*.—As to those which relate to marriage, they have gradually changed from bad to worse, 'till, at last, the *marriage-act* has left little room for any farther mutability of this sort. The letters of *Certain Jews to Mr. de Voltaire*, contain many striking observations on these subjects, and account for the profligacy of *Christian* governments, with regard to women, on principles too sound and true
to

remonies, without which the contract has long been deemed *null* and *void*. Witness also the prohibiting marriage to the *clergy*.

‡ Witness the stat. 26 Geo. II. for *preventing clandestine marriages*.

§ Witness making *polygamy* a capital felony—citing CHRIST's authority for calling it *adultery*—deeming all *polygamous* contracts null and void—and *bastardizing* the issue, contrary to Deut. xxi. 15—17.

We find the antient legislators and politicians of *Greece* and *Italy* well apprized of what
Moses

to admit of any fair contradiction. Some of the above observations are extracted from them; and whoever reads those excellent pieces of the learned * *Jews*, will get much entertainment and instruction for his pains; and will find, that *wisdom* and *decency* breathed from the spirit of the laws of *Israel*, as much as *folly* and *libertinism* are derived from that system which we have established in its stead. In p. 47, vol. ii. where a comparison is made between the *civil laws of the Jews*, and those of *other nations*, what cutting reflections doth the truth compel the learned writers to cast on the latter! Among others is the following—

Moses has taught us—that the numbers of the people are the *riches of the state*. Therefore every difficulty laid in the way of marriage is, even in a political view, absurd; but how much more absurd in a maritime and commercial *island*, whose opulence and greatness is the constant object of envy to its powerful and ambitious enemies, who have long meditated its destruction! How, humanly speaking, can this be avoided, unless, by encouraging marriage, we promote population, and thus are enabled to recruit our armies, and man our fleets, without stripping the country of its *husbandmen*, *manufacturers*, &c.? Our dependence on foreign mercenaries is precarious, and may be dangerous.

* I speak of them according to the title, but they are said not to be written by *Jews*, but by *M. Guenné*, a learned *Frenchman*.

vol. ii. p. 53.—“ † Our code says, *There shall be no whore of the daughters of Israel*—all your cities are full of them! “ and if we are to believe your wise men, “ there ought to be public endowments “ for them, and their calling ought to “ be held honourable.” It is true, this is immediately addressed to a *Frenchman*; but if a total stranger was to visit both these *Christian* countries, I believe he would, from the *manners* of the inhabi-

† I refer to the English translation of *Dr. Lefanu*, octavo, Dublin, 1777. The editor of these masterly performances is so candid as to own, that the word here rendered *whore*, is קדשה—which properly signifies a *prostitute*, or a woman set apart for *prostitution*, in honour of the *idols* of the heathen. To the shame of human nature be it spoken, there were *prostitutes* of both sexes; which may serve to explain Deut. xxiii. 17. throughout. However, these women followed also the trade of *harlots*, wore a particular dress, and seated themselves in the highways and other places of public resort, to invite the passers by. See Gen. xxxviii. 14, the history of *Tamar*, who disguised herself so as (ver. 15.) to be taken for זונה—an *harlot*, whose trade it was to expose herself for hire (ver. 16, 17, 18.)—at ver. 21. she is called קדשה—a *consecrated prostitute*—which proves what is above asserted, that these women followed the trade of prostitution in both senses. These were *heathen* women, and therefore called in the book of PROVERBS, strangers. See chap. ii. 16. v. 20. vii. 5. No daughter of *Israel* could be either קדשה or זונה on pain of death.

tants,

tants, be pretty much at a loss to know whether *France* or *England* most espoused such a sentiment, and, of course, to which of the two it might, with the greatest justice, be attributed.

As to the second point, the prevention of *confusion*, and every *evil work*. This was secured on the woman's part by the severe laws against *adultery* and *whoredom*, and on the men's part also by the *moral* impossibility they were under, to forsake and abandon the *virgins* which they had once been *connected with*, and thus to expose them to the danger and temptation of those dreadful violations of the divine law; therefore the prohibition was wisely extended to all men alike without exception. I will not repeat here what has been so largely before treated; but only observe, that the banishment of this law, has proved the banishment of decency and good order, to an alarming degree, from among us, and has plunged millions into irrecoverable ruin, who, had they lived under the *morality* of the *divine law*, had been *mothers* of children, instead of *prostitutes* in the streets.

To say that our *blessed Saviour* came to restore the institution of marriage to its primitive obligation, is as true as that
He

He bore His testimony, on the footing of that institution, against all unlawful *divorce*: as true as, that by citing the very *words of union*, which were pronounced at the *beginning*, He shewed what was the mind of GOD as to the indissolubility of the contract. But where does He authorize the man who has *taken a virgin* to put her away? Where does He *deny*, what the very scriptures which He cites *affirm*, that the being *joined** to her, makes her the man's wife? Where does He *deny* the truth of the Hebrew scripture, by *affirming*, that if a man takes *two women together*, they are not equally *his wives*?—See Deut. xxi. 15. 1 Sam. i. 2. xxv. 43. Where doth He *bastardize the issue*—or consign either of the women to dereliction and ruin, by declaring the latter marriage *null and void*? and yet we plead His sacred authority for all this, as confidently as the *church of Rome* pleads it in defence of their persecutions of *Protestants*, because our LORD once said—*compel them to come in*—with relation to the call of the *Gentiles* into the *Christian*

* Compare רצו—Gen. ii. 24; προσκολληθήσεται, Matt. xix. 5; κολλώμενος, 1 Cor. vi. 16; and see before, p. 144. note.

church.

church. Such notions may pass with people who look no deeper than *popular opinion* for the foundation of what they believe; but how it is possible they should pass with *thinking* men, who *search the scriptures*, is only to be accounted for on the score of *prejudice*. Where this can be got rid of, they surely must appear lyes—"gross and palpable as the father that begat them." John viii. 44.

That the populoufness of the *Jewish* nation proceeded *merely* or *wholly* from the practice of *polygamy*, as contradistinguished from *monogamy*, I do not suppose; because the same number of women married each to a different man, is as likely to produce as *many* children as if married all to *one* man, perhaps *more*: but the scandal of *celibacy*, the esteeming *marriage* as a *sacred duty*, and a number of children *a blessing from the LORD* (see Ps. cxxvii. 5, and Ps. cxxviii. throughout) occasioned their eagerness after the marriage-state: add to this, the promise † of the *Messiah*, of whom each woman

† This incentive to marriage, it is allowed, cannot now subsist among us. But still it must be true, that all incentives to marriage, be they what they may, must tend to encrease the number of *married*

woman was led to hope she might be the happy mother. This accounts for the behaviour of certain women, whose desires after children seem very extraordinary, See Gen. xxx. 1, 15, 16. Judges xi. 37, 38. 1 Sam. i. 11. *Barrenness* was a *reproach*, probably from the same cause, and therefore the removal of it was looked upon as a special blessing. Gen. xxx. 23. 1 Sam. i. 27, and ii. 1, 5. The authors of the Antient Univ. Hist. vol. iii. p. 139, observe, that—" though the
 " *Mosaic* law doth no where oblige men
 " to marry, yet the *Jews* have always
 " looked upon it as an indispensable duty,
 " implied in the words—*Be fruitful and*
 " *multiply*, Gen. i. 28. ix. 1. So that a
 " man who did not marry before he was
 " *twenty* years of age, was counted ac-
 " cessary to any irregularity which the
 " young women might be tempted to for-
 " want of being timely married. They
 " had a proverb in the *Talmud*—*Who is*
 " *he that prostitutes his daughter, but he*
 " *who keeps her too long unmarried, or*
 " *gives her to an old man?* For this rea-

women, and of course *population*. For this reason *polygamy* must contribute to *population*, as increasing the number of *married* women. See before vol. i. p. 100. n.

" son

“son they used to marry them as soon
 “as they came of age, which, with
 “them, was at **twelve*.” The populoufness of the *Jewish* nation, therefore, moft evidently arofe from the *univerfality of marriage*, whether *monogamous* or *polygamous*: fo that there was not to be found, as among us, thoufands of young marriageable women devoted to *barrennefs* for want of *hufbands*, or configned to infertility by the mifchiefs of *proftitution*.

As long as we hold it good *philofophy* to fay, that “the fame caufe will produce the
 “fame effects”—fo long will it be true, that the reafon of the populoufnefs of the *Jewish* nation was owing to the wifdom of their laws which concerned the *commerce of the fexes*, and that our want of people is owing to our difcarding the fystem of government which the *Jews* lived under

* However matters flood before with us, it is very clear, that, fince the *marriage-act*, the parties are neither of them *fui juris*, as to the difpofal of themfelves in marriage, till the age of 21 years; which, with regard to young men particularly, is often attended with bad confequences, fuch as laying them under temptations to *acts*, and fo to *habits* of profligacy, which in fome end in ruin, in others in a fettled and fixed diflike to the fober duties of a married life; and thus many young men of *rank* and *fortune* never marry at all. It is, I am afraid, too true, that this is daily increafing among us.

in these respects, and establishing another in its place, big with every inconvenience, which that was so exactly calculated to prevent.

We are so overwhelmed with *luxury*, so sunk in *dissipation*, that the expence of a family is looked upon, as it certainly is, under such circumstances, an intolerable burden. The bringing up and maintenance of children is dreaded even by the opulent, because the enormous expence they are at upon their pleasures, reduces them to a level with the poorer sort. This is no uncommon reason* for celibacy. Among the *Jews*, the frugality and industry of individuals left no room for such an excuse. Their very *women* contributed to provide for the † children which they brought, and ate not the *bread of idleness*. See a beautiful account of this, *Prov.* xxxi. 10, &c. Whereas, among us, it is no very uncommon thing to hear a person say—"I
" won't

* See before p. 276.

† Which children, as soon as able, contributed to the riches of the family by their labour, and in this sense they were a *blessing* instead of a *burden* . See *Ant. Univ. Hist.* vol. iii. p. 186. note B. The *Jews* permitted no *drones* in their *hive*. Their maxim was—" *he that will not work, let him not eat*"—
Comp.

“ won’t *marry*, because I can’t afford it.” Every man may *afford to marry*, who is sober and industrious, but certainly none can who are idle and profligate.

The *Jewish* law also, by its severity against *adultery*, inflicting certain death on the *adulterer* and *adulteress*, so checked the evil, that married men had little to fear on that account; whereas, among us, our laws, having inflicted no punishment on *adulterers* as *public offenders*, leave the punishment of it to what *Judge Blackstone* well calls, “ the feeble coercion of “ the ecclesiastical courts,” which is about as well calculated to restrain it, as the strength of a *pigmy* would be to repel

Comp. Prov. xix. 15. and 2 Theff. iii. 10.—whereas with us, an increase of children is too often an increase of idleness and extravagance. Witness the crowds of, what we call, the *higher sort of people*, who fill our numerous places of public diversion, *gaming-houses*, &c. the *bankruptcies* among our *tradesmen*, and the shoals of *thieves*, *vagrants*, *beggars*, &c. among the lower orders of men.

It is a remarkable thing, that among other ingredients of ruin to the apostate *Jews*—*idleness*—*abundance of idleness*, was one. Ezek. xvi. 49. We do not find that God changed His law, because they had departed from their observance of it; but maintained its holiness and unchangeableness, in the fearful punishments He sent upon them for their dissoluteness and disobedience.

the force of a *giant*; and even this, such as it is, is within the reach * of money to buy off. See *1 Burn, Eccl. Law*, quarto, p. 663. Hence it is, that this *giant-vice*, with such large strides, marches through our land, and may probably be the means of terrifying not a few from marrying.

Having elsewhere observed the wisdom of the divine laws for the prevention and punishment of *whoredom*, I will here say once more, that our banishment of them from our system of government, is another reason of the alarming frequency of *celibacy* among us.

As for *polygamy*, it certainly was *allowed*, as much as marriage † itself was; to say the contrary, is to deny the whole testimony of the *Hebrew* scripture;—but
this

* About the year 1735, the *Bishop of Chester* actually cited his *commissary* into the *Archbishop's* court at *York*, to exhibit an account of the money received for commutations. *Oughton* says, that “commutation-money is to be given to the poor, or applied to other pious uses, at the discretion of the *Judge*.” See *Burn. Eccl. Law*. tit. *Penance*. Also post, *Append. to this Chapter*.

† For which plain and evident reason, it may be concluded, that the several attacks on *marriage*, which the *Christians* have made from time to time, under notions of greater *purity* and *holiness*, are
wholly

this was not that wild, licentious, wicked practice of it, which is now maintained at the expence not only of decency, but even of humanity itself, among the *Ma-hometans*; but a holy and sober use of marriage, circumscribed by holy laws and institutions, in *all* cases permitted, in some *commanded*. And what was the consequence to the state? A numerous issue, which contributed to its riches and strength—the demand for women in marriage increased, and few were left either to be a burden or a disgrace to it. But is this so with us? Our making

wholly *unjustifiable*, because *unwarranted* by the scriptures. GOD forbid marriage under certain circumstances, but in no one precept or example did he prohibit *polygamy*, where marriage itself was allowed. Wherefore, I own, I cannot in the least doubt, that the stat. of 1 Jac. chap. 11. which forbids *polygamy* under pain of death, is just as opposite to the divine law, as the stat. of Hen. VIII. which hangs a *priest* for marrying *one wife*, as well as the man who should assert it lawful in the sight of GOD, for a *priest* to marry at all. There was a time when it would have given great offence to have found fault with this law of Hen. VIII. just as much as to arraign the propriety of that of 1 Jac. may give now;—but this proves no more than that both are equally absurd—that superstition is always the same—and that men are apt to take their ideas of religious truths, more from custom, and vulgar opinion, than from the word of GOD.

saw, till they regarded the divine law as little as we do — thousands of women for the purposes of *prostitution* and destruction, by making it impossible for their seducers to do them that justice, which *reason, nature, and the divine law*, intitle them to demand. This may be reckoned also among the causes of our want of people; for I believe it would not be very hard to prove, that almost every woman, who is driven into *common prostitution*, is a loss of one *breeding-wo-*

These, and other dreadful appendages of making ourselves more *wise, pure, and holy*, than the God who *knoweth whereof we are made*, are the consequences of an indiscriminate and total prohibition of *polygamy* — so that, whatever we may have gained in point of casual, private, or domestic *convenience* in *one* respect, we are losers in point of public, as well as private mischiefs, in *ten thousand*!

If we advert to the scripture, we shall not find a single instance of these things among the antient *Jews* — their law was so framed as to prevent them. — If we attend to the daily evidence of our own eyes and ears, they are frequently happening among us, because *our laws* are so framed as to be the *occasions* of them — and perhaps no one part of our *system* is chargeable with more of them, than our *sanguinary* prohibition of *polygamy*. 1 Jac. c. 11.

To lay a foundation for all this mischief, by charging Him, who came *not to destroy men's lives, but to save them*, with repealing the *divine law* which was made to prevent it, is an *impious and infamous* slander, and its wearing the guise of *piety* and *piety* makes it so much the *worse*!

man to the public. *Physical* reasons may be given for this, which I do not chuse to discuss, but which the learned uniformly agree in, and which experience demonstrates to be generally true.

I would therefore conclude upon the whole—that all restraints and impediments with regard to marriage, are equally inimical to *nature, reason, and scripture*—to sound policy and good government, as well as to that which is the strength, riches, and safety of all governments—AN INCREASE of the PEOPLE.—These are *like arrows in the hand of a mighty man*. — Happy we, had we our quiver full of them! we should not be ashamed to speak with our enemies in the gate. Ps. cxxvii. 4, 5.

As a proper conclusion of this chapter, let the following *contrast*, between the *divine system* and our *system of human invention*, stand before us—let it bear its own testimony, as to the *advantages and disadvantages* of the *change* which has taken place, and as it may serve to introduce a *parallel* between us and the *Jews*, when they left the plain and simple road of *duty* which their *law prescribed*, and followed their *own imaginations and inventions*.

CONTRAST.

DIVINE SYSTEM.

OUR HUMAN SYSTEM.

*Male and female
created bethem. Gen.*

i. 27.

*And GOD blessed
them—and GOD said
unto them—Be fruit-
ful and multiply, and
replenish the earth.
ver. 28. ch. ix. 1, 7.*

*And the rib which
the LORD GOD had
taken from man, made
He a woman, and
brought her unto the
man.*

*And Adam said—
This is now bone of
my bone, and flesh of
my flesh, she shall be
called woman because
she was taken out of
man.*

To say nothing of
the *Popish* schemes
of *celibacy*, which
have been set up a-
gainst the command
of GOD—let us look
nearer home, and
consider the num-
bers of *unmarried*
people among us—
one reason of which
is, the *facility* of *se-
duction*, and *derelic-
tion*, as well as the
difficulties laid in the
way of *marriage*—
for all *marriages* had
and solemnized con-
trary to 26 Geo. II.
c. 33. shall be “ ut-
“ terly void, to all
“ intents and pur-
“ poses whatsoever.”
“ ver.”

Therefore

And

Therefore shall a man leave his father and mother, and shall cleave קבר—be joined unto his wife—and they shall be one flesh. Gen. ii. 22—24.

If a man entice a maid that is not betrothed, and lie with her—he shall surely endow her to be his wife. Exod. xxii. 16.

If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her and lie with her, and they be found—SHE SHALL BE HIS WIFE, BECAUSE HE HATH HUMBLED HER, HE MAY NOT PUT HER AWAY ALL HIS DAYS. Deut. xxii. 28. 29.

And no suit shall be had in any ecclesiastical court, to compel the celebration of any marriage, by reason of *any* contract whatsoever, any law or usage to the contrary notwithstanding.

Therefore—

If a man entice a maid &c. he shall not SURELY endow her to be his wife.

Or if he find a damsel that is a virgin, which is not betrothed, &c. she shall not be his wife, unless he chuses it—though he has humbled her, he may put her away as and when he pleases.

He

Nothing

He that is joined to a woman (κολλω-μειος) is one body—for two, saith God (i. e. who are thus joined) shall be one flesh—Gen. ii. 24. 1 Cor. vi. 16.

If a man have two wives, he shall not make the son of the beloved first-born, before the son of the hated, which is indeed the first-born.

But he shall acknowledge the son of the hated for the first-born, by giving him a double portion, &c. Deut. xxi. 15—17.

If a man be found lying with a woman married to an husband, then they shall both

Nothing shall make her his wife but marriage-ceremony administered by a priest, by banns first published, or by licence first had and obtained in some parish church or chapel, &c. or if elsewhere, by special licence from the Archbishop of Canterbury.

If a man, having a wife, marry another, living the first, he shall be deemed a felon, and suffer death as such. The second marriage be utterly void, and the issue bastards and uninheritable.

If a man lie with other people's wives, he is no object of criminal judicature. If

both of them die.

Deut. xxii. 22.

So if with a *betrothed virgin*, &c.
ver. 23. 24.

If a man lie with a *betrothed virgin*, he is not even liable to an action for damages, she to no penalty whatsoever on account of her situation.

In *Israel*, while these laws were observed, we read of no *adulteries* for many centuries together.

Among us, the abolition of the *divine system* has been attended with daily *adulteries*, which have increased the more, as mankind have felt the privilege of *impunity*.

No street-walkers, whores, and common prostitutes — no medicines taken to procure *abortion* — no *child-murder* — no *venereal* disease*, infecting
and

Our streets are filled with *prostitutes*, our *brothels* also with *barlots*; *abortion* is sought after, *child-murder* is frequent; the *venereal disease* rages
like

* This horrible disease is supposed to have made its first appearance in *Europe* in the year 1493; but some

and destroying the people. like a plague, to the destruction of thousands.

Their *population* was almost incredible. Our *depopulation* is alarming.

P A R A L-

some have thought it of much older date, even in this country, from a constitution of the stewes, antiently kept at the *Bank-side, Southwark*, under the jurisdiction of the *Bishop of Winchester*, dated 1162, where it is supposed to be called *burning* or *brenning*. It is also supposed to be mentioned in a manuscript of *John Arden*, surgeon to *Rich. II.* and *Hen. IV.* Many have contended for its being known among the *antients*, only under different names. Some have gone so high as the days of *Job*, and suppose it to be the ulcerous distemper with which that great man was afflicted ; insomuch, that in a *Missal* printed at *Venice*, anno 1542, there is a *mass* in honour of St. *Job*, to be said by those recovered of this disease (See *Chambers*, tit. *Venereal Disease*) as owing their deliverance to his intercession. Others contend that *David* was afflicted with it, as a punishment for his sinful commerce with the wife of *Uriah*, and this he complains of *Ps. xxxviii. 3—8.* But, omitting *fable* and *conjecture*, it is certain, whether we interpret that passage *literally* with some, or *allegorically* with others, it contains something like a description of *this disease*, as to many of its *symptoms*.

However this may be, one thing may, I believe, be asserted as a fact, established by long experience, that this *disease* has never been known to exist, but from a *promiscuous* intercourse of the sexes.—This will produce something very like it even in *brutes*—therefore I can see no reason against dating its origin

P A R A L L E L.

<p>When the <i>Jews</i> forsook the law which God set be- fore them, <i>obeyed</i> not His voice, nor walked</p>	<p>We see, in this <i>Christian</i> country, the <i>same</i> cause pro- ducing the <i>same</i> ef- fects.</p>
	As

origin as early as common *whoredom* itself, as the same cause may very fairly be presumed to produce the same effects, though not perhaps in equal degree, nor at all times and places alike.

If we understand the word *מבישה*—*she that maketh ashamed*, or is an *instrument of shame* (Prov. xii. 4.) to denote an *harlot* or *common prostitute*—for of such it may be a very apt and descriptive *periphrasis*, and especially as the root *בש* signifies *to be ashamed through a sense of guilt* (see *Parkh.* sub. voc.) and in this sense an *harlot* is *מבישה*—an *instrument of shame* to those who are *joined to her* (see 1 Cor. vi. 15. 16. 18.)—therefore I say, if we understand this passage of an *harlot* or *common prostitute*, how many men can at this moment bear testimony to the truth of what is here said!—whose bitter experience must lead them to subscribe to the words of Ps. xxxviii. 3. *who have no rest in their bones by reason of their sin*—who have to mourn that those *bones* are *rottenness* itself—and, as *Virgil* expresses himself on another subject—

Truncas inhonesto vulnere nares.

But whether the scriptures above-mentioned, or any other parts of *holy writ*, do, or do not, allude to the symptoms of the *disease* in question, or whether it was or was not known in *Europe* till the year

walked therein, but walked after the imagination of their own heart. Jer. ix. 13, 14.

Then they fell into all manner of spiritual and fleshly abominations.

They then committed adultery, and assembled themselves by troops in the harlots houses.

They

As the DIVINE LAW is laid aside for a system of human imagination—all manner of lewdness overspreads the land, under the various forms of adultery and whoredom—and no doubt helps to fill the measure of our national iniquity.

Surely

year 1493 (a very able and learned discussion of both which points may be found in *Astruc, de Morb. Ven. lib. i. chap. 1—10.*) surely a restoration of that law is to be wished for, which is contrived by infinite wisdom—*Concubitu prohibere vago*—thus to prevent prostitution, and, of course, every dreadful consequence of it to mankind.

“The shameful, loathsome, and often fatal disease” (says the late excellent *Dr. Hartley, Obs. on Man, p. 229.*) “which peculiarly attends the vice of lewdness, may be considered as a most unquestionable evidence of the divine will. This disease, with all its consequences, would cease among mankind, could they be brought under the restraints of marriage, but must ever continue while licentiousness continues.”

To this I will venture to add, that, *licentiousness* ever must continue, and even increase, while the *divine laws*, which are made to prevent and restrain it, are laid aside.

*They were as fed
horses in the morn-
ing, every one neigh-
ed after his neigh-
bour's wife. Jer. v.
7. 8.*

*See Ezek. xxii. 9,
10, 11. Hosea iv. 14.*

*Shall I not visit
for these things, saith
the LORD, shall not
my soul be avenged of
such a nation as
this?*

Jer. v. 9.

Surely this is a time for our deepest and most serious recollection, when God seems to be visiting our *iniquities* upon us, not the *least* of which, is forsaking the LAW which He hath set before us, with respect to the *commerce of the sexes*, and following a *system* which, in the nature of things, must lead us into the very state in which the *Jews* were, when the *prophets* were sent to call them to *repentance*, or to foretell their *destruction*.

APPENDIX

APPENDIX to CHAP. X.

See p. 294, Note.

IT may not be amiss to lay before the reader the doctrine of *penance* and *commutation* as to their original, and then it will be seen how disgraceful such notions are to an enlightened Protestant church. *Theodore* of *Tarsus*, a Grecian monk, restored among the *Latins* the discipline of *penance*, as it is commonly termed, which had been for a long time almost totally neglected, and enforced it by a body of severe laws borrowed from the *Grecian* canons. This zealous prelate, who was raised to the *see of Canterbury*, A. D. 668, reduced to a regular science that branch of ecclesiastical law, which is known by the name of *penitential discipline*. He published a *Penitential*, which was entirely new to the Latin world, by which the *clergy* were taught to distinguish *sins* into *various classes*, according as they were more or less heinous, private or public. This new *penitential* also contained the methods of proceeding with respect to

X 2

offenders,

offenders, and pointed out the various *penalties* that were suitable to the different classes of transgressions. This new discipline, though of *Grecian* origin, was eagerly adopted by the *Latin* churches. Its duration however was but transitory, for in the *eighth* century it began to decline, and was at length entirely supplanted by, what was called, the new *canon of indulgences*, in which the *bishops* and *clergy* began to *trade* in the *twelfth* century, when the universal reign of ignorance and superstition was dexterously, but basely, improved to fill their coffers, and to drain the purses of the deluded multitude. All the various ranks and orders of the *clergy* had each their peculiar method of fleecing the people.

The *bishops*, when they wanted money for their private pleasures, or for the exigencies of the church, granted to their flock the power of purchasing the *remission* of the *penalties* imposed upon transgressors, by a *sum of money*; which was to be applied to certain religious purposes; or, in other words, they published *indulgences*: which became an inexhaustible source of wealth to the *Episcopal* orders, and enabled them,

as is well known, to form and execute the most difficult schemes for the enlargement of their authority, and of the external pomp and splendor of the church.

When the *Roman Pontiffs* cast an eye on the immense treasures, which the sale of these *indulgences* brought in to the *inferior rulers* of the church, they limited the power of *bishops* in *remitting the penalties imposed on transgressors*, and assumed, almost entirely, this profitable traffic to themselves. In consequence of which, *Rome* became the general magazine of *indulgences*; and the *Pontiffs*, in order to supply their coffers, published, not only an universal, but also a complete, or, what they called a *plenary* remission of all the *temporal* pains and penalties which the church had annexed to certain transgressions.

Afterwards they proceeded farther, and not only remitted penalties which the civil and ecclesiastical laws had enacted against transgressors, but audaciously usurped the *divine prerogative*, and impiously pretended to abolish even the punishments of the next world; a step this, which the *bishops*, with all their

pride and presumption, had never once ventured to take.

Such proceedings stood in need of a plausible defence, but this was impossible. To justify, therefore, these scandalous measures of the *Pontiffs*, a most monstrous and absurd doctrine was invented—"that there actually existed
 " an immense treasure of *merit*, composed of the pious deeds and virtuous actions which the *Saints* had performed *beyond what was necessary for their own salvation*, and which were therefore applicable to the benefit of *others*—that the guardian and disposer of this *precious treasure* was the *Pope*, and therefore he was empowered to *assign* to such as he thought proper, a portion of this inexhaustible source of *merit*, suitable to their respective *guilt*, and sufficient to deliver them from the punishment * due to their crimes." This horrible superstition is retained and de-

* *Bellarmino* says of these indulgences, that they extend as well to the high *forum*, or tribunal of our Saviour CHRIST, as to the internal *forum*, or court of *holy church*; that they even profit the *dead*, and avail them by way of satisfaction or application. See *Abf. of Hist. of Popery*, vol. i. p. 173. quarto, 1735. and *Bellarmino*. de Indulg. Lib. i. c. v. p. 28, 31.

fenced in the church of *Rome* to this day ! it was happily banished from *England* at the *reformation* ; pity but the former sort of indulgences had followed it out of our *church* ! but they are still retained, under the more *plausible*, but more *explicit* term of *commutation*, which signifies *changing one thing for another*, as the punishment of *sin* for *money*. Though therefore *indulgences* and *commutations* differ in *name*, they entirely agree in their *nature*. Their being given, or pretended to be given, to *pious uses*, no more salves the offence of taking * such money, than a *certain lady's* giving, or pretending to give, her *winings* to the *poor*, atoned for her playing at *cards* on a *Sunday*.

Whatsoever these things may be called, they are certainly *judicial absolutions*, and

* To make laws for the punishment of offences, and then to waive or suspend their execution, for a sum of money paid by the offender, and especially where such laws are made on no better principle than with a view to such extortion—which I take to have been chiefly the case with respect to the laws of *penance*—may bring to one's mind *Virgil's* account of one of the tormented in *Tartarus* ; concerning whom he saith—*Æn.* vi. l. 622.

——— *Hic fixit leges pretio atque refixit.*

He made, and unmade, laws for gold.

Which sufficiently shews even an heathen's sentiments of such a practice.

X 4

such

such as never were heard of in the *Christian* church till *Popery* introduced them, See *Mosheim*, vol. i. 327, 595. edit. *Mac-laine*.

That there were censures on offenders against religion and good manners in the *apostolical times*—such as *private admonition*, 2 *Theff.* iii. 15.—*public rebuke*, and even of a *sharp kind*, *Tit.* i. 13.—*rejection* for obstinate heresy, *Tit.* iii. 10.—and even *excommunication* itself for grievous and scandalous offences, 1 *Cor.* v. 1—5.) is most evident ; but I should imagine, that if a sum of money had been offered to buy off the censures of the church, the *offerer* would have been answered as *Simon Magus* was—*Thy money perish with thee*, &c. *Acts* viii. 20.

See 13 *Edw.* I. stat. 4. commonly called the statute of *Circumspecte agatis* ; and 9 *Edw.* II. stat. 1. c. 2. and c. 3.

See also before, vol. i. p. 63, n. and *Burn.* tit. *Penance*.

C H A P. XI.

C O N C L U S I O N.

HAVING thus far finished what I had to say on the foregoing subjects—which are not of an indifferent or trivial nature, but of the utmost importance for every body's consideration—it may be proper, by way of *conclusion*, to recapitulate, and to *commend* what has been said to *every man's conscience in the sight of God.* 2 Cor. iv. 2.

While our laws are what they are, and suffer men to take *virgins* into their possession, and then put them away, not all the devices of *human wisdom*, nor the most strenuous efforts of the most disinterested and best-contrived plans of *reformation*, can have any greater effect on the mischiefs which they would remedy, than a few buckets of water taken out of a *river* would have upon the *stream*. The *water* would soon *unite* again, and flow on with the same apparent *fulness*. So, though a few *prostitutes* may be taken from among the countless *herd*, and some of them so reformed

reformed as not to mix with it again, yet no apparent diminution meets the eye, no lessening of their numbers strikes the observation. The *brothels* were full—they *are* full—the streets *were* infested with *prostitutes*—they *are* still infested with them as much as ever—there is no more difference as to *numbers*, than there is in an *army*, from whence an *hundred* soldiers are discharged, and an hundred fresh recruits are listed in their room. The man who thinks it can ever be otherwise, as *our laws* with respect to *marriage* now stand, may go with *Horace's* rustic to the brink of a *river*, and expect that it will run itself dry.

—————*At ille*

Labitur & labetur in omne volubilis ævum.

It still flows on, and will for ever flow.

FRANCIS.

If an expedient could be found to dry up its *source*, and thus stop it at the *fountain-head*, the *streams* must cease, and the *bed* of the river become *dry ground*. So if a law be devised which can prevent *seduction* and *dereliction*, and thus stop *prostitution* at its remotest apparent causes, the thing itself must cease.

This has not been left for the invention of man, he never could have been equal
to

to the task.—The ALL-WISE GOD Himself, who could alone be possessed of *wisdom* and *authority* sufficient for this, hath done it. His law delivered to *Adam at the beginning*, and afterwards in more explicit terms to *Moses at Mount Sinai*, stands as a record of the *divine mind and will*, and, if duly observed by mortals, is adequate to the prevention or remedy of all the *moral evils under the sun*, among the rest, the dreadful and destructive evil of *prostitution*.

This law has been disregarded, a *system* very different from it has been set up in its place. This *system*, being of human contrivance, must of course oppose itself to the law of GOD—for *His ways are not our ways, nor His thoughts our thoughts*. II. lv. 8. In short, that which GOD hath bound, man hath loosed. The *obligation* which is created by GOD's own *fiat*, must now give place to the inventions of men, which declare GOD's *ordinance* of marriage *null and void*, unless ratified by * man's authority. What are the *righteous conse-*

* “ As if the links of that eternal chain, whose
“ beginning is in the breast of the FIRST CAUSE of
“ all things, could ever be disunited by the insti-
“ tutions of men !” Essay on Crimes and Punish-
ments, chap. xvi.

quences of all this? Misery, ruin, desolation.—Let men but keep clear of the *human ceremony*, and they may bid defiance to the *divine institution*. The lewd, the designing, the merciless and cruel, are turned loose upon the *female* world, to make what ravages they can. *Seduction* precedes, *violation* follows, *dereliction* comes next, and *prostitution* closes the monstrous iniquity! Shame and disgrace attend the *divine institution*, honour and reverence await the *human ordinance*! Thus MAN IS EXALTED — GOD DESPISED! This is attended with the most fatal consequences to thousands, whose *protection* is provided for and secured by the laws of GOD, and whose *ruin* is invited and insured by the neglect of them.

What an alteration would it make in the regions of *profligacy*, was the whole entire law of GOD to be observed? If no man, let his *situation* be what it might, *could entice a virgin*, &c. and not *surely endow her to be his wife*? This in every case whatever? What a security would this be to the *lower* order of *females*, on which the licentiousness of the *higher* order of *men* usually falls the heaviest? It is hardly to be imagined that men of *family* and *fortune* would pay their *addresses*, or
rather

rather lay their *snare*s, where the accomplishment of their desires must be attended with an *union*, unsuitable in all respects to their rank in life. This would force them early to match themselves with their equals; they would not gratify their lust at the expence of their pride, and we should not see so many victims of lust, treachery, and cruelty, filling the *brothels*, and walking our *streets*, till disease conveys them to an *hospital*, and from thence to the grave: cut off and lost to the public in the bloom of youth; when, had the *protection* which the *law of God* hath ordained for them, been afforded them by their *seducers*, they might have been happy in themselves, and blessings to society.

Nor does the rejection of God's *law*, by the substitution of man's *inventions*, confine its mischief even within the dreadful bounds above-mentioned, it extends itself even to *murder*, and that of the most foul and unnatural kind, that of *infants* by the hands of the *mothers who bare them*. As something else than God's ordinance is required to make parties *one flesh*, persons who are actually married in God's account, are under no *legal* obligation to each other. The unhappy *mother* of
what

what is called a *bastard-child*—though as really married to the *father* of it as *Rebekah* was to *Isaac*, or *Leah* and *Rachel* to *Jacob*—is placed in such a light by the *superstition* of the world, as to make her prefer an act of barbarity, which her own *bowels must yearn at*, to the treatment which it is the custom * of the world to bestow upon her. *Fear* unsheaths the fatal instrument of *death*, and *shame* plunges it into the vitals of the *helpless innocent*. The wretched *mother* (for concealment seldom covers the offence of

* “ The murder of bastard children is the effect
“ of a cruel dilemma, in which a woman finds
“ herself, who has been seduced through weakness,
“ or overcome by force. The alternative is, either
“ her own infamy, or the death of a being who is
“ incapable of feeling the loss of life. How can
“ she avoid preferring the last to the inevitable mi-
“ sery of herself and her unhappy infant? The
“ best way of preventing this crime would be effec-
“ tually to protect the weak woman from that ty-
“ ranny, which exaggerates all vices that cannot
“ be concealed under the cloak of virtue.

“ I do not pretend to lessen that just abhorrence,
“ which these crimes deserve, but to discover the
“ sources from whence they spring; and I think I
“ may draw the following conclusion—That *the*
“ *punishment of a crime cannot be just, that is, neces-*
“ *sary, if the laws have not endeavoured to prevent*
“ *that crime by the best means which times and circum-*
“ *stances would allow.*” BECCARIA, Crimes and
Punishments, chap. 31.

murder)

murder) is apprehended, and by the hand of justice consigned to the pain and ignominy of a public death.

The father of the child looks upon himself as *free*; no outward ceremony had passed, and the tragical end of his *gallantry* deters him not from endangering a like scene of horror, with respect to the next woman he can *seduce*.

God's law arrests the man on his first intercourse with the woman, and pronounces them *one flesh*, so that he cannot forsake, or *put her away all his days*. Were this observed, and that deemed a *marriage*, which God hath made so, the woman could be under no *temptation* to *such* an act, or to *any** other, than that, which

* Here I mean to include the frequent, though horrible, and, to many, fatal practice of taking medicines to cause *abortion*. That this, in a *moral* sense, is a species of *murder*, there can be no doubt, which was severely punished by the divine law. See Exod. xxi. 22, 23. There indeed the case is put of injury arising from only accidental violence to the woman; yet, even there, if it occasioned the *death* either of the mother or *the child*, if *quick*, it was a capital offence. *Life* was to go for *life*. The word *MDN*—which we translate *mischief*, comes from the root *MD*—which signifies to *pour out as water*; and as a noun, *MDN*—*effusion, diffusion, dissipation, dissolution*.—*Ar. Mont.* renders it by *Mors*—*death*. Comp. 2 Sam. xiv. 14. In the translation of the LXX, or

which the law would put in *her power*, that is to say, making the man do her the *justice* which it is now so amply in *his power* to *refuse*. From what has been said, let the *reader* revolve in his mind every species of injury and *female* ruin, which he ever heard of, read of, has seen, or can conceive, and he will find that it has all originated from the abolition of the *divine laws*, which so amply provide for the security of women, and from the introduction of those human inventions, which have turned *marriage* into a mere

rather their paraphrase on this place of *Exodus*, they distinguish between the *παιδίον μὴ ἐξαικονισμένον*, *the child not formed*, and *ἐξαικονισμένον*—*formed*; or, as we may say, between the *embryo*, which is *inanimate*, and the *fœtus*, which, being full formed and *animated*, may be said to be capable of *losing life*.

The frequent *abortions* which are procured by medicines, no doubt fall within the reason of this law.

But when we take into the account, the numbers of *women*, who have destroyed *themselves*, as well as the *children* within them, and thus have died, under the *double guilt* of *SUICIDE* and *CHILD-MURDER*, it ought to fill us with horror, to think that a *system*, which, in the very nature of it, must afford numberless *temptations* to this, and be productive of frequent *instances* of it, should be the *system* of a people who profess a belief of *DIVINE REVELATION*, wherein the causes of such mischiefs are provided against by the *wisdom* and *goodness* of the *CREATOR HIMSELF*.

civil contract, for in no * other view does our *municipal law* regard it, thus *vacating* obligations which God hath made, and *laying* obligations which God hath not made.

As for appointing certain outward acts, rites, or ceremonies, for the public recognition of the *marriage* as to *civil purposes*, these are in the breast of the state to ordain or alter, as may seem most expedient; but as to *marriage* itself, it neither being ordained *of* men nor *by* men, but *of* and *by* the God *of Heaven*, no power on earth can change or alter it. It is no more within the jurisdiction of man, or the power of mortals, to do this, in a *moral* sense, than it is, in a *natural* sense, to change the rising of the sun, or stop the flowing of the tide. For the same reason that a child is completely and perfectly baptized, without the *sign of the cross*, or without *godfathers* and *godmothers*, a man and woman, whose *persons are united*, are completely and perfectly *married in the sight of God*, without any human ceremony whatsoever; that is to say, because this is no part of God's *ordinance* of marriage, therefore cannot

* See before vol. i. p. 64.

be *essential* to the perfection of it as *in his sight*.

It is therefore truth, even the *truth* of God, that no man can receive the person of a *virgin* into an *union* with his own (supposing her not betrothed to another man) without her becoming *his* אִשָּׁה—*woman* or *wife*—*sa femme*—from that moment. This law is as *general* as it is *absolute*; though exceptions of *betrothing* or *espousals* are made on the *part of the woman*, no such thing appears on the *part of the man*: therefore, whatever his *situation* may be, it makes no difference—having *taken* the woman and HUMBLED HER, *he may not put her away all his days*.

That this law * involves *polygamy*, so as even to *command* it, and therefore to make it a *duty*, where the man is *married* who takes the *virgin*, is evident from the very *terms* in which the *law* is conceived: *If a man*—must mean † *any* man—*every* man who does so. The liberty which *commentators* have taken with

* Deut. xxii. 28, 29.

† As in ver. 22. IF A MAN *be found lying with a woman married to an husband*—here אִישׁ אֶחָד—*if a man*—must be understood without limitation or restraint, as to the situation of the *adulterer*—so doubtless of the *seducer* at ver. 28.

this

this text, in order to accommodate it to their own prejudices, is an instance of that sort of construction, which the *Papists* make use of in the understanding of *τίμιος ὁ γάμος ἐν πᾶσι*—*Heb. xiii. 4.*—*Marriage is honourable in all*: that is, say they, in *all things*, not in *all men*; for the *Rhe-mists* say, on 1 Cor. vii. 9. that “the marriage of *priests* is the worst sort of *incontinency*.” Thus we speak of *polygamy*, with just as much ground from God’s word.

Had *polygamy* been permitted on the side of the *woman*, the most material part of the sacred history must have lost its evidence: as no *genealogy* could have been preserved with the least certainty, it could not have been proved beyond a doubt that CHRIST is the *Messiah*, of the seed of *Abraham*, and of the *house and family* of *David*, to whom the promises were made; consequently, that he is the *prophet which was to come*; and *we are to look for no other*. *Matt. xxii. 42.* and we must have been asking; in another sense than OUR LORD himself did—*What think ye of CHRIST, whose Son is he?* This fatal stroke to all our hopes must have been the consequence of a precarious issue. In a more private

view of the matter, all modesty, decency, order, inheritance, relationship, and every bond of society, must have been broken asunder; whereas, on the *man's side*, *polygamy* is not attended with any of these things: what the wickedness and vileness of men have introduced, must be looked upon as *abuse* and *perversion*, but are no more * arguments against the thing *itself*, when used

* To argue against any thing from the abuse of it, is the most unfair of all methods of refutation. There are no absurdities, and indeed no lengths of *impiety* and *blasphemy*, into which, by such means, we may not be carried.

We may even dispute the *wisdom* and *holiness* of the CREATOR in making the human species of different sexes—in ordaining the means of *increasing and multiplying* the human race, by the union of the *male* and *female*—in implanting, for this purpose, a desire towards each other—for if all this had never been, *adultery*, *fornication*, and *whoredom*, could not have existed:—Nay, we may carry the argument so far, as to conclude against the *divine wisdom* and *holiness* in the *creation* itself—for if this had never been, no evil, either *moral* or *natural*, could have ever been known. See vol. i. pref. p. xxiii.

Let us go a little farther, and we shall get into *scepticism*—and from thence into *atheism*—like those

— who tread the high *priori* road,
And argue downward 'till they doubt of God.
POPE.

In

used according to God's regulation and disposition of the matter, than the *sau-
ders* and *massacres* by the Heathens of
old Rome, or by the *Papists* of modern
Rome, are to be reasonably urged (as
they have been falsely by infidels) a-
gainst the truth of the *gospel*. Had not
polygamy been allowed to men, the pro-
vision made for the protection and de-
fence of the *weaker sex* had been defi-
cient; whereas God's law hath made
it *complete*, and no man upon earth
can, on the footing of *that law*, plead
his *situation*, either as a *privilege* or a
disability, against providing for, main-
taining,

In 1536 Archbishop *Cranmer*, who was project-
ing the most effectual means for a reformation of
doctrine, moved in *convocation*, that they should pe-
tition the *king* for leave to make a translation of the
Bible. But *Gardiner*, and all his party, opposed it,
both in *convocation*, and in secret with the *king*.
It was said that all the *heresies* and *extravagant opi-
nions*, which were then in *Germany*, and from
thence coming over to *England*, sprang from the
free use of the scripture: and whereas in the *May*
last year, nineteen *Hollanders* were accused of some
heretical opinions, for which opinions *fourteen* of
them were burnt in *pairs* in several places; it was
complained, that all those drew their *dammable*
errors from the indiscreet use of the scripture. And
to offer the *Bible* in the *English* tongue to the whole
nation, would prove the greatest *snare* that could
be. See *Burnet Hist. Ref.* vol. i. p. 195, second edit.

Whoever reads with attention this excellent and
entertaining *history*, will see what reliance the *Papist*
party

taining, and protecting as a *wife*, any or every woman whom he may chuse to seduce.

That God should establish this *security*, by the positive laws which have been so often mentioned—and *that* in *all cases* where the woman was *free*—that it should be so uniformly and openly maintained, for so many ages together, in the practice of the *best people*; and then, all of a *sudden*, it should be found out to be against the *primary law* of marriage, a sin against the *seventh* commandment, and that which was a *moral duty* by Exod. xxii. 16. and Deut. xxii. 28, 29, should be a damnable *sin* under the *gospel*—is either to suppose the world so

party had on this mode of argumentation against the *Reformers*, their *writings*, and indeed against the *Reformation itself*. The great Sir *Thomas More*, in his writings, exercised all his dexterity in exposing the *ill consequences* that could follow on the doctrine of the *Reformers*. Ibid. 356.

Assuming certain prejudices as true, and thence drawing *conclusions*, which rest singly on such prejudices, is not only *unfair*, but is one of the meanest and most despicable *sophisms* that error can have recourse to. It is that sort of *deceit* and *imposition*, which “ imports the misrepresentation “ of the qualities of things and actions to the “ common apprehensions of men, *abusing* their “ minds with false notions; and so, by this artifice, making *evil* pass for *good*, and *good* for “ *evil* in all the great concerns of life.” SOUTH’S “ *Sermons*.

much

much *better* than it was before, and therefore no *such law* any longer *needful*—or that a *law-giver* came under the New Testament to oppose the *law-giver* under the Old Testament, and to set mankind free from their allegiance and obedience to Him. The former of which suppositions is not *true* in point of *fact* any more than the latter—our own senses may convince us of the *first*, and CHRIST's own declaration, that He came not to *destroy the law* (καταλῦσαι, to *demolish* or *loosen* its obligation) may assure us of the *second*. Urging that CHRIST has altered the law of the Old Testament, by forbidding *polygamy*—which was, in all cases where *marriage itself* was *lawful, allowed*, and in some instances positively *commanded*—is only saying, in other words, that he lessened that *security* which the weaker sex have against the stronger, and facilitated the *ruin* and *prostitution* of women, by cutting off a considerable part of that *protection* which the law of God afforded them, and which He so strongly maintained in His whole dispute with the *Pharisees* on the subject of *divorce*, in no one part of it more strongly than Matt. xix. 9. the very *verse* which *su-*
Y 4
perstitution

perstitution has so long taught men to quote for an opposite purpose; for there He shews that *all divorces* (except what He had before excepted, ch. v. 32.) are absolutely forbidden.

So far as we believe God's law, so far *must* we believe that if a man (*having a wife*) *entices a virgin, and lies with her, this last shall SURELY be His wife, as much as the first*; and it would be equally criminal to *abandon her* as to *put away the first*. For saying this, I appeal to the whole *Bible*, from beginning to end. There are many instances recorded of men's taking a *second* to a *first*, but not one where such a thing was either forbidden, or where the *second* marriage was declared less *valid* than the *first*, or the *first* looked upon as a ground of *divorce* from the *second*, any more than the *second* was a ground of *divorce* from the *first*.

We have run into much confusion on the subject of *marriage*, by the terms *husband and wife*. The ideas which custom hath taught us to annex to them, have superseded the *scripture-definition* of that relation, and have substituted another, which is not to be found in the *Bible*. Our notion is, that when a man
and

and woman have been at a church, and had the *matrimonial* service read over them, and the ceremonies therein contained observed, they are *man* and *wife*; not otherwise: whereas the scripture has no *specific* name for the relation, as *husband** and *wife*—but a *man* and *his woman* *איש ואשתו*. When a man took a *virgin*, she became *his woman*, i. e. *his property*, not by any outward ceremony, but by the surrendering *her person* into his *possession*; this, either *anticipatively* by promise or *betrothing*, or *actually* by *carnal knowledge*, where no *betrothing* or *espousal* went before; this, and this *only*, made them *one flesh*—this did, and it *ever* must have the same effect in the *sight of God*; for *He changeth not*. As she was called *אשתו*—*his*

* The author hath, notwithstanding, used the terms *husband* and *wife* throughout this whole treatise, in compliance with our translators of the scripture, and as the most concise way of expressing the *marriage-relation* which our language is acquainted with. However, so far from implying that none can be *man* and *wife*, but those who are joined by some outward ceremony administered by a *priest*, the words *איש ואשתו* are used to denote the pairing or coupling together of *brute animals*. See *Gen. vii. 2.* where we have translated them—the *male* and *his female*. Mont. *Virum & uxorem ejus.*—ἀρσεν καὶ θήλυ. LXX.—See before vol. i. p. 42.

woman, by his having the *possession* of her *person*, in a sense exclusive of *all other men*, so in the same sense *he* was called אִישָׁהּ—*her man*—ιδίος ἀνὴρ, (See vol. i. p. 227—232.)—the man so *appropriated* to her that she could give herself to no other. This was so in all cases; the woman who gave *her person* into the *possession* of a man, whatever the man's situation might be, could not go to *another*, nor could the man *put her away all his days*. Were this so with us, it would be as difficult to find a *brothel*, or even a *prostitute*, as it was in *Israel*, while these things were observed and kept.

That the laws of Exod. xxii. 16. and Deut. xxii. 28, 29. would sometimes be attended, in their execution, with no small inconveniences in the case of *married men*, must be allowed—but what are the *worst* of these which can be supposed, when put in competition with the tremendous and horrible mischiefs of seduction and prostitution, either to individuals or to the public? The *man* has it in his own option whether he will incur the danger of the former, God has graciously provided in his *law* that the *weaker sex* shall not * be exposed to the latter.

* See before p. 170—2.

As to the murder of *bastard children*, as they are called, an attempt was made some years ago to prevent this, by the charitable and well-meant institution of the *Foundling Hospital*; if I recollect aright, this very purpose is mentioned, either in the *king's charter*, or in the *petition* which preceded it.—I wish not to *remember*, much less to *repeat*, least of all to *enlarge* upon, the mischief which ensued to the lives of children, from the evil practices of those who were to convey them to the *hospital*; this from all distances, at a time when the tenderness of their age made them unable to support the fatigue of *jolting waggons*, &c. by which means many died on the way:—suffice it to observe, that not one *murder*, of the sort above mentioned, could probably be prevented by the plan of this *charity*; because, in order to have the child conveyed to the *hospital*, somebody must be trusted with the *secret*, as the unfortunate mother can hardly be supposed in a condition to carry it herself, and these *murders* are always committed that the *secret* may not be divulged. Did the *law of God* prevail, that which no human contrivance can effect, would be done; such intercourse as we call *whoredom*,

dom, in *contempt* of God's law, and in *honour* of a *human* * *ceremony*, would be deemed, what the scriptures deem it, a *marriage*, and the *magistrate*, as in *Israel*, at the woman's request, might compel the man to a *public* recognition of it, in any manner which should be required by the *state*.

Something like this once prevailed in the kingdom of *France*, as appears by a passage in the *Causes Célèbres*, published 1777 at *Paris*, wherein one of the *advocates*, in *Cause* LXXVII. says,—“ On con-
 “ damnoit autrefois les jeunes gens qui
 “ abusoient de la foiblesse des filles,
 “ sous promesse du mariage, a etre
 “ *pendus* ou a les epouser.”—“ Formerly
 “ young men, who abused the weakness
 “ of girls under promise of *marriage*,
 “ were condemned, either to be *hanged*
 “ or to marry them.” This was some-

* I should imagine that the following *sylogism* cannot be denied.

Nothing can be of the essence of marriage in God's sight, but that which he hath himself ordained and revealed as such in his word.

But—No outward marriage-ceremony, as essential to marriage in his sight, hath God ordained and revealed in his word.

Therefore no such ceremony can be of the essence of marriage in God's sight.

thing

thing like reverence to the *law* of God ; for though that does not say what the punishment was to be, in case the man refused to comply with the law which said *He shall surely endow her to be his wife*—yet if such a case had happened, and *Moses*, as in the case of the man who *gathered sticks on the sabbath* (Numb. xv. 32.) had consulted God by *Urim* and *Thummim*, he probably would have received the same answer ; disobedience to a commandment so *emphatically* delivered would scarcely have met with a milder punishment in this case than in the other. However, we may with certainty pronounce that *death* would have been the consequence on the wilful and obstinate offender, as it appears to have been a capital offence to despise the *sentence of the judges*, (Deut. xvii. 11, 12.) and they must have passed *sentence according to law*.

But the *French* as well as ourselves are *improved* in their *manners*, therefore the said advocate adds—“ Depuis on s’est
 “ relaché de la severité de cet usage, &
 “ l’on s’est contenté de les condamner
 “ a doter ces filles, ou a leur donner de
 “ dommages interêts.”—“ Since then we
 “ have relaxed from the severity of that
 “ custom,

“ custom, and content ourselves with
 “ condemning them to give portions
 “ to these girls, or to pay them da-
 “ mages.” So amongst us, a woman
 may bring an *action* on a breach of
promise of marriage; but then *actual pro-*
mise must be proved, or she will be non-
 suited. This therefore does not reach
 the original cause of the evil complained
 of. God does not make an *actual pro-*
mise of marriage necessary, Deut. xxii. 28,
 29.—but the man *lying with the woman*
 was to be considered as a *marriage*, and
 as such ought to be enforced under the
 severest penalties.

The *French advocate* farther saith—
 that this giving a portion, or pecuniary
 damages—“ est le seul parti qui reste,
 “ lorsque le seducteur est marié—“ is
 “ the only * thing that remains, where
 “ the *seducer* is already a married man.”
 So speaks *human wisdom*—but not so the
law of God; that made not the least
 difference as to the *situation* of the man,

* The cause in question was instituted against a
married man who had gotten a young woman with
 child; and ended with the DEFENDANT's being
 condemned to pay the *plaintiff* 400 liv. damages—to
 take the whole charge of the *child*, as to its main-
 tenance and education, upon himself—and to pay
 the whole costs of suit.

though

though it so expressly does as to that of the *woman*. *Portioning* such a woman out to marry another man, would have been *causing her to commit adultery*, as she was the wife of the *first* man, by *that act* which made her *one flesh* with him. The man who married such an *unjustly-divorced* woman, would also be *guilty of adultery*. It might seem strange to go into an house, and to see a man with *two wives*; but this would be much better than to go along the street, and see a *number* of young women perishing with disease and filthiness, some of them because the men *would* not, others because they *could* not, marry them.

I have been lately informed, that by the laws of *Switzerland*, though *polygamy* is not tolerated there, yet if a single man gets a girl with child, he is obliged to marry her, be his rank in life what it may. Here is at least a *partial* remedy against *child-murder* and *prostitution*; but then it must be observed, that it is only just *so far* extensive as it agrees with the *divine law*.

The *Jews* are more *righteous* and *merciful* in the respects above mentioned than *we Christians* are; for the law of
 GOD,

God, is, as far as their difficult situation will admit, observed in all cases of this kind; and if any man refuses to submit to it, he is put under sentence of *ex-communication*; which, as they have no public government, is the utmost which can be done. On conversing with a gentleman who is a *Jew*, on this subject, he told me, that some time ago a rich young *Jew* at *Amsterdam* seduced a poor *Jewess*, who was a servant-girl: she insisted on his *publicly* marrying her, which he refused. She complained to the *synagogue*; who summoned him to appear before them, that they might enquire properly into the fact. Finding it true, they sentenced him to *marry* her publicly. He would not—urging the difference of his rank from her's; but this plea was not allowed, they urged the *law of God* against him; but he continuing obstinate in his refusal, they *ex-communicated* him. He applied to some of the *States of Holland*, that they would interfere; but they refused it, saying—“ the *synagogue* had a right to enforce their own laws.” I asked the gentleman, with whom I was conversing, “ what would have been the case if this young man had been before *mar-*
“ *ried*

"ried to another woman *then living*?"
 —he answered—"Just the same—for
 "by the law of *Moses*, no man can take
 "a *virgin*, and afterwards abandon her
 "at his pleasure." So that the very
Jews may shame us *Christians* for the
 little respect we pay to the *preservation*
 of the *female sex*, or to those *laws of*
Heaven which were made to insure it!
 Our saying that the SAVIOUR of the
 world (whom we call *Lord and Master*—
 and in this we say well, for so he is—John
 xiii. 13.) came to set *those laws aside*, is
 only going a step farther out of the *way*
 of *truth*, and into the *way of abomina-*
tion.

I would observe, that if the young
Jew above mentioned had lived in the
 days of *Moses*, he would not have come
 off so cheaply as with a bare excommu-
 nication, but *death* had also been the
 consequence of his contumacy. (Deut.
 xvii. 11, 12.) On which I cannot omit re-
 marking—that what God positively com-
 manded to be done in *all cases*, we *Chris-*
tians do not enforce in *any*—nay, by the
marriage-act we have absolutely prohibited
 —that "any suit shall be instituted to
 "compel a marriage *in facie ecclesiæ*, by
 "reason of ANY CONTRACT of matri-
 VOL. II. Z "anony

“ many WHATSOEVER.” So that *single men* are abso-utely released from all enforcement of the *divine* law—and as for *married* men, they are prohibited, on pain of *death*, to do what, under God’s *own government*, they would on pain of *death* have been compelled * to.

Here we find an adequate cause of female ruin, prostitution, and misery ! corrupt human nature is left to itself, uncontrouled, unchecked by the power of God’s positive precepts, unpunished for an avowed rebellion against them. To say that we have laws to take up a poor *street-walker*, and send her to *Bridewell*, is only saying that we have laws to make the *miserable* still more *miserable*, and the *profligate* more *profligate* ; for in those places of confinement, they help to corrupt each other, and they usually come forth more *abandoned* than when

* *Calixtus*, a writer of the 17th century, in his treatise *de Legibus*, saith very truly——

Nulla lex humana potest prohibere, quæ lege divinâ, sive naturali sive positivâ, fuerunt mandata; neque mandare quæ fuerunt prohibita.

“ No human law can prohibit those things
“ which by the divine law, either natural or po-
“ sitive, were commanded, nor command what
“ was prohibited.”

they

they went in. It is a sad remedy which increases the disease. All these things considered, can it be otherwise than that *adultery* should *increase*, in defiance of God's *law*, when we have not a single *statute* to enforce *that law*? that *whoredom* and *fornication* should *abound*, when the *only* method of preventing them is utterly laid aside, though prescribed and enjoined by the God of *Heaven*?—To punish a poor deserted creature for being a *prostitute*, when it is put out of her power to force her *seducer* to provide for her as the *divine law* enjoins, is equally cruel and foolish: not very unlike the man who threw his child into a ditch, and then beat him for being dirty.

I pretend not to the gift of *prophecy*; but, without that, only by comparing *effects* with their *causes*, and weighing in the balance of reason and common sense *circumstance* with *circumstance*—unless recourse be had to the remedy which God hath provided in his *law*—I may venture to pronounce (as all evil is of a progressive nature, the more so the less check is given to it) that all our well-meant schemes of *reforming prostitutes*, and all our absurd and severe methods of *punishment*, will end just where they

Z 2

began;

began ; only with this melancholy difference, that for *one reformed* we shall find *twenty seduced*, and for *one reclaimed* by punishment, an *hundred* will be made the worse. I fear we shall have to say with *Seneca*—de Benef. l. i. c. 10. *Hæc majores nostri questi sunt, hæc nos querimur, hæc posteri nostri querentur, everfos esse mores, regnare nequitiam, in deterius res humanas & in omne nefas labi.* “ This
 “ our ancestors have complained of, this
 “ we do complain of, this our posterity
 “ will complain of—that morals are
 “ overturned, that wickedness reigns,
 “ that human affairs go from bad to
 “ worse, and fall into all manner of impiety.” Or with *Horace*,

*Ætas parentum, peior avis, tulit
 Nos nequiores, mox daturos
 Progeniem vitiosorem.*

- “ More vicious than their fathers’ age,
- “ Our fires begat the present race,
- “ Of actions impious, bold, and base :
- “ And yet, with crimes to us unknown,
- “ Our sons shall mark the coming age their own.

FRANCIS.

I cannot close the foregoing observations better, than by inserting a very affecting illustration of their truth,
 which

which appeared in the *General Advertiser* of Oct. 16, 1778.

“ MR. EDITOR,

“ Seeing a *very young girl* wandering
 “ about the streets late in the evening of
 “ yesterday, I was induced to ask her—
 “ whither she was going ? She told me
 “ that an officer encamped at *Coxbeath*
 “ had, about a fortnight since, stolen her
 “ away from her friends at *Rocheſter*,
 “ and carried her by force to his *mar-*
 “ *quée*, where he debauched her ; and
 “ after having kept her about a week
 “ after he had ſatisſied his licentious in-
 “ clinations, he had ſent her to *London*
 “ with a *guinea* in her pocket, to get her
 “ living as ſhe might. This wanton
 “ act of barbarity ſo affected me, that I
 “ could not refrain from curſing aloud
 “ the author of it, in the moſt vehe-
 “ ment manner, as I walked home.

“ How much more does this cruel de-
 “ ſtroyer of innocence deſerve the diſci-
 “ pline of flagellation, than a poor de-
 “ ſerter ! I hope the officer who has
 “ thus taken from a young girl that re-
 “ commendation, without which ſhe
 “ will find it difficult to earn an ho-

“ nest livelihood, is not quite so nearly
 “ related to the Devil, as to suffer this
 “ unhappy victim to seek her bread by
 “ *prostitution.*”

How far the case, as above stated, may be true, I will not pretend to say; but could we know *every thing* of this sort which daily passes in the world, we should find much reason to credit the facts in this letter. Many men there are, whose rank, and education, and fortunes, as well as their personal endowments, might intitle them to the affections of the most respectable and exalted of their own degree in the female world, with whom they might be the *happy husbands* of *happy wives*, who, devoting themselves to the indulgence of their appetites, lay out all their time and substance to inveigle and betray the lowest of the *other sex*, and then serve them as the *officer* above mentioned is represented to have served the *poor girl*. Sooner than fail, they will employ their mean dependents to be their *factors*; and numbers there are, of *both* sexes, who actually live upon the spoils of *female innocence*.

The judges of *Israel* would have saved the poor girl from destruction, by forcing

ing the *officer* to a public recognition of his *marriage* with her, on the facts appearing to them as they are stated.—But he lives in a *Christian* country—he is *free*—the poor helpless girl irremediably undone! so are thousands and *tens* of thousands on the same principle.

By abolishing the connected, wise, and salutary laws of God, relative to the *commerce of the sexes*, and setting up a law of man's device in their place, the strongest barrier which words can form, for the preservation of the *weaker sex*, is thrown down; the strong holds of *female security* are razed to their very foundations; and the following *mischiefs* are *apparent*.

1. *Adultery* has not any punishment to stand in dread of from our *penal* laws, therefore we can be at no loss for its bare-faced appearance, and increase beyond the example of former times—for *evil* of all kinds is of a progressive nature.

2. There being no obligation on men to marry the *virgins* they *seduc*e, thousands of helpless girls are enticed, seduced, and abandoned at the pleasure of their SEDUCERS; by which means

one * in an hundred) yet, *barrenness* and *prostitution* are so usually connected, as to make it amount at least to improbability that such women should ever breed.

6. Another source of *depopulation* must arise from the temptation which men are under to a *single life*, from finding an easy way of gratifying their appetites—without the burden and care of a *wife* and *family*—either with women whom they can *seducer*, and *leave* at their pleasure, or by a small sum purchasing the favours of those who have been *seduced* and abandoned by other men. This is one grand incentive to *celibacy* on the side of the men, and a reason why so many young women, however beautiful and deserving they may be, pass on to old age neglected by the other sex, and die unmarried.

7. By putting an *human ceremony* in the place of the *divine ordinance*, and men being under no obligation to *marry* the women they *seducer*, *whoredom* and *fornication* must increase, in proportion to the

* Usually most of these turn *brothels*, and make it the great end of their *professional industry* to live by keeping *brothels*, not only for the reception of young women *already ruined*, but for the inveigling and drawing into *ruin* numbers of unwary and deceived females.

numbers

numbers of *profligate men*, who chuse to gratify their passions at a cheaper rate than the charge of a *wife* and *family*, and to indulge their love of *variety* at no greater *trouble* and *expence*, than may be incurred by the *seduction* of *youth* and *innocence* among the lower order of females.

8. By representing *polygamy* as a sin, the word of God is discarded as the *only rule of faith*—the *wisdom* and *holiness* of his *positive laws*, for its *regulation*, called in question—a very considerable part of the *security* which they afford the *weaker sex*, destroyed, and of course the seducing, abandoning, and prostituting women, by *married * men*, greatly facilitated. Vouching the authority of CHRIST, as forbidding *polygamy* under the notion of *adultery*, is a misrepresentation of his *prophetical character*, like that of *Cerin-*

* More especially by those who are under divorces *a mensa & toro*, or, from some unhappy differences, are separated by mutual agreement, which are far the greater number of the two, and who are exposed to all the temptations of a *single life*, without having it in their power to use the appointed remedy against them.

Forbidding such men to marry, is as unscriptural, unauthorized, and dangerous a tyranny over the rights and consciences of mankind, as the *Pope's* forbidding the marriage of the *clergy*.

abus, who taught that—"Jesus opposed the God of the Jews."

9. By stamping *infamy* on the only institution and ordinance of marriage which God ever appointed or revealed, and denying its *obligation* without the super-addition of an *human ceremony*, which was first made essential to marriage by a Pope of Rome, the murders* of new-born infants have been and are frequently occasioned, and, by this means, the deaths of many women by the hands of the public executioner.

10. Numbers of children are destroyed, as well as women, by the wicked practice of taking medicines to cause abortion.—To this may be added,

11. The many instances of *female suicide*, which have happened in the unspeakable moments of distress and desperation, when pregnant women have

* Mr. Guthrie, Geograph. Gram. p. 185, edit. 1776, in the account of the religion of Scotland, says—"It is said, that even that relic of popery, the obliging fornicators of both sexes to sit upon what they call a repenting-stool in the church, and in full view of the congregation, begins to wear out; it having been found, that the Scotch women, on account of that penance, were the greatest infanticides (or murderers of infants) in the world."

been basely* deserted by those who ought to have become their protection and defence, and thus exposed to infamy and ruin—defenceless—helpless—hopeless!

Such

* A recent instance of this was in one of the public prints, about the latter end of July 1779. "A young woman at ———, in Essex, was lately found drowned in a pond. The occasion of this rash action was her being deserted by a gentleman in the neighbourhood, by whom she was pregnant." Many such instances may doubtless be found in the annals of human misery!

The *Morning Chronicle*, of November 12, 1779, furnishes us with a record, which, though almost enough to freeze the very blood of the humane reader, I cannot omit on this occasion.

"On the 31st ult. one *Hannah Hoggarth*, of the township of *Hawsker cum Stainsker*, in the parish of *Whitby*, in *Yorkshire*, was delivered of a male bastard-child alone. On the 2d inst. her neighbours, suspecting she had been so delivered, prevailed on the officers to get a surgeon and man-midwife to examine her; who, on the 3d went to her house, examined, and talked to her about such her delivery, which she, at first, denied; but on a closer examination, she said she had a miscarriage, which being dead, and very small, she burnt; and would then confess no further. On the 5th instant the same persons went and examined her again, when she confessed she had been delivered alone of a boy, who crying very much, she, to avoid a discovery, took an axe, with the broad end of which she

2

"several

Such are the effects of *worldly systems*—such the fruits of the inventions of those who would make themselves *wiser* and *holier* than the God *who made them*! Nor can any thing put a check on the

“ several times struck the infant on the head, and
 “ thereby greatly crushed and fractured his skull,
 “ and with the sharp end she endeavoured to cut
 “ off its head; that having thus killed the child,
 “ she laid it under the bolster of a bed in the
 “ room where she lay, until the evening, when she
 “ got up, took up one of the flags of the floor, and
 “ underneath it buried the child; where it was, by
 “ her directions, found, and the coroner made ac-
 “ quainted therewith, and summoned a jury, who
 “ met last Saturday afternoon, and, on examina-
 “ tion of the witnesses, found that the said Hog-
 “ garth had murdered her child in the manner
 “ above related. Soon after the jury had left the
 “ place, she took an opportunity, in the absence
 “ of the person set to watch her, to HANG HER-
 “ SELF, and was quite dead before it was disco-
 “ vered.”

Whence arose this double tragedy?—from the same source which must account for all things of the same kind—that is to say, from the fooleries of *priestcraft*, first set on foot by Pope *Alexander the 11th*. and gradually brought into an *article of faith* by the superstition and credulity of mankind. We read of no such thing happening in *Israel*; the motives of *Pain* and *Shame*, which drove this poor creature to such desperation, could not exist, but under those circumstances of *infamy*, which the tyranny of custom has annexed to certain *actions*, without any warrant or foundation from that *law*, by which we must all be judged at the last day.

prevalence

prevalence of such calamities, but a restoration of the WHOLE—UNIFORM—CONSISTENT—and BENEFICENT LAW OF GOD. This, and *this* alone, is a remedy against *adultery*, and *whoredom* in all its forms. Long and sad experience has shewn us that all *other schemes*, whether of *prevention* or *remedy*, are vain and chimerical, and can no more stop these evils, than *Jeroboam's* discarding the law of *Moses*, and setting up the *calves* in *Dan* and *Bethel*, could secure the *kingdom of Israel* to himself and family.

Nothing can be more pernicious to the pursuit and investigation of truth, than supposing the *antiquity* of an opinion is a certain proof of its *solidity*, or that the *universal* reception of, or veneration for, a *doctrine*, is a conclusive argument of its *truth*. We have but to travel into *China* or *Japan*, *Mexico* or *Peru*, or into any other idolatrous countries, and we shall find the most horrible and monstrous forgeries that *Satan* himself can invent, all depending on the *antiquity* of their establishment, the *universality* of their reception, as well as of the *veneration* which is paid them. Let us not think that we are *by nature* wiser than

than the inhabitants of those countries—we are all the children of one man, the naturally-engendered offspring of fallen Adam.—He that giveth to all life and breath, and all things, hath made of one blood all nations of men, for to dwell on all the face of the earth. *Acts* xvii. 25, 26. The human mind, like the human nature, is in all men and in all places alike. *Prov.* xxvii. 19. Were the people who are born in *Mexico* born among us, they would not be worshippers of the idol *Vitziputzli*; were we born among them, we certainly should. The mind of fallen man, having no innate ideas of divine things, is impressible by the first that offer, and as he grows up, these grow up with him. Hence the *Bramin* is as much wedded to the adoration and worship of *Vistnou*, as a *Papist* is to the adoration and worship of the *Virgin Mary*. The only difference between them is, that the blind *Heathen* has been taught his religion by those who have no revelation, and the ignorant *Christian* has been instructed in his, by those who have perverted and abused the revelation which God hath given them. Such is the human mind—so fallen, so lost to the possession and love of truth—that it will suffer itself

to be led blindfold into the acknowledgment of propositions as *true*, which even the outward senses demonstrate to be *false*! Witness the absurd, unprofitable, self-contradictory notion of *transubstantiation*, whose *antiquity*, and *universal reception* and *veneration* in the church of *Rome*, have prevailed on men to relinquish the demonstration of their outward senses, and to embrace a *lye*, though it bears its own detection upon the face of it.

The *credulity* of the *human mind* was hardly ever more plainly evinced, than by an experiment which was tried upon the *public* about thirty years ago:—A certain noble *Duke* was conversing on this subject with some company at his own house, and said—“ He was certain that
 “ no absurdity could be proposed, which
 “ mankind would not believe. I dare
 “ say” continues he, “ that if it was
 “ advertized in the papers, that at one
 “ of the *theatres* a man would get into
 “ a *quart-bottle*, the house would be
 “ crowded.” This was thought to be carrying the matter too far. “ No,” said *his Grace*, “ if you will promise to keep
 “ my counsel, I will try the experi-
 “ ment.” Accordingly it was announced in one or more of the papers, that “ at
 “ such

“ such a *theatre*, on such an evening, a
 “ man, with all his *cloaths* off, would
 “ come on the stage, get into a *quart-*
 “ *bottle*, and there play several *tunes* on
 “ the *German flute*.” The evening arriv-
 ed, the experiment succeeded, the house
 was full from top to bottom; num-
 bers tried to get places, but were forced
 to go away for want of room. The com-
 pany waited patiently a considerable time,
 at last they grew noisy, and called, but
 in vain, for the *artist*; then they began
 to be angry and riotous, insisting on a re-
 turn of their *money*, which they had *paid*
at going in; this was equally vain, the
offices were all locked up, the *receivers*
 decamped with a large sum, which, it
 was said, was afterwards distributed among
 some public charities.

If the human mind is capable of such
 impositions as these, in things wherein
 the *outward senses* must be supposed to be
 competent judges, what must it not be
 capable of believing, where spiritual and
 invisible things are the objects proposed
 to it? more especially when those objects
 are presented before it under the venerable
 guise of piety and religion, and are recom-
 mended to its observance by the authority
 of *usage, custom, and law*?

two wives at once, which the scriptures do not condemn, more severely than the *defiling the wives of other men*, which the scriptures

of chastity, or that shall prefer the state of marriage to virginity and chastity.

6. Or that the prohibitions of marriage in certain times of the year is superstition, or shall condemn the benedictions and other ceremonies.

I have selected these *synodal* determinations of that famous *Papish* council, that the reader may be apprized of the origin of systematical opposition and contrariety to the divine law. Ab inferis ad Romam, a Româ ad nos. As to the matter of *polygamy*, I cannot; from the history of those times, have the least doubt of its being branded with a *CURSE* on such as should assert its "not being contrary to the law of GOD," in order to make *Luther*, *Zuinglius*, *Bucer*, *Melancthon*, and the other reformers; the more odious in the sight of the world; they having given this as their opinion; in the business of *Philip Landgrave* of *Hesse*.

I the more readily believe this; because many of the most celebrated *Papish* writers, as *Durandus à St. Portian*, in the 14th century—*Alphonfus Tostatus*, Bishop of *Avila*; in the 15th century—and particularly Cardinal *Cajetan*, who disputed with *Luther* at *Augsburg*, in the 16th century—do confess—that "a plurality of wives is lawful, according to the divine law, and that it hath no indecency in it by the law of nature; but it would be lawful even to priests, unless prohibited by the discipline of the church"—*Jure divino uxorum pluralitatem esse licitam, idque naturall jure nullam habere indecentiam quin & sacerdotibus hoc licitum fore, nisi ecclesiastica prohiberentur disciplina*. Cardinal *Bellarmino* acknowledges the same—Lib. 1. De Matr. c. 10. See before, p. 89. n.

scriptures do condemn to capital punishment—that the whole legislative body of this kingdom should determine it to be *against the law of God* that a clerk in orders should marry; that this should be made *felony*, in both parties, as also in those who should only maintain it to be *lawful*:—that all these things should gain such an ascendancy over the minds of men, as, in their turns, to be believed as so many solemn truths of religion, affords, surely, reason enough for every thinking man to be upon his guard, and to examine well into the foundation of things before he makes them articles of his creed.

When the holy scriptures are applied to in a partial and desultory manner, words taken out of sentences—sentences from the entire text—texts wrested from the context—the context from the rest of the scriptures, and then the sound of the words

Rainold de lib. Apoc. tom. i. prælect 4, expressly saith —“Cajetanus asserit pluralitatem uxorum nusquam a DEO prohiberi, adeoque Paulum, cum episcopum vetet habere plures uxores, reliquis concedere.” Cajetan asserts, that a plurality of wives is no where prohibited by God. And therefore Paul, when he forbids a Bishop to have a plurality of wives, grants it to others.” See before, vol. i. p. 205.

detached

detached from their *sense*—matters are still made worse, the deception is strengthened by the supposed authority of scripture, and *Error*, having counterfeited the seal of *Truth*, thus commends itself to the minds and consciences of men.

A little before our *blessed Saviour* left this world, He *thus* prayed for His *disciples*—(*not for them only, but for them also which should believe on Him through their word*—John xvii. 17, 20.) *Sanctify them through Thy truth, Thy WORD IS TRUTH.* Whatever contradicts that *WORD* must be a *lie*, for *no lie is of the truth.* 1 John ii. 21. However *sacred* these *lies* may have become, by people's espousing them as *truths*, under notions of *purity* and *holiness*, yet are they of *their father the Devil, who, when he speaketh a lie, speaketh of his own, for he is a liar, and the father of it.* John viii. 44. Whatever will bear the *test* of the *Hebrew* scripture, must be *true*—but if it will not bear this, we may be certain it is *false*, however it may be dignified with the opinions of the *learned* and *pious*, or come recommended to us under the sanction of the highest human authority. I much question whether *superstition* and *error* owe their ascendancy over the minds of pro-

fessing *Christians* to any thing more, than to detaching the Old and New Testaments from each other, and thus looking upon the *latter* as an entire *new* system, unconnected *with*, and independent *on*, the *former*. Whereas, in truth and in fact, the New Testament owes its whole importance and glory to the *Hebrew* scriptures ; it is entirely built upon them ; we therefore find a constant reference to them throughout the whole New Testament. *Search the scriptures, they testify of Me.* John v. 39.—*For if ye had believed MOSES, ye would have believed Me, for he wrote of Me ; but if ye believe not his writings, how shall ye believe My words?* John v. 46, 47. Here, by the way, I would ask, how it is possible to conceive, that OUR LORD should appeal to the *writings of MOSES* for the truth of what he spake, if *his words* essentially differed from them ? *They have MOSES and the prophets, let them hear them*—Luke xvi. 29. And in that exquisitely fine apology of *Paul* before *Agrippa*, Acts xxvi. he declares, that he said nothing in his public ministry, but what *MOSES and the prophets did say should come to pass*. As we find some of the books of the Old Testament refer to others preceding, so do we find

find the New Testament referring itself for its authority to the Old Testament; which shews, that *both together* form one connected scheme, one uniform plan of *divine wisdom and truth*. The *gospel* in the Old Testament, and the *gospel* in the New Testament, differ only as the *shadow* of a man *upon a wall* differs from the *image* of the same person seen in a *glass*; we see the representation of the *same* identical person in *both* cases, only more distinctly and plainly in the *latter*. *The law had a shadow of good things to come, not the very image of the things*. Heb. x. 1. But under the New Testament, *we all with open face* (the veil of the typical dispensation being removed) *behold, as in a glass, the glory of the LORD*. 2 Cor. iii. 18.

It is ever to be remembered, and therefore cannot be too much or too often inculcated, that though the *Bible* consists of different *books*, written at different and distant *times*, by different *penmen*, yet one and the same truth pervades the whole; one uniform *design* appears; nor is there, throughout, the least appearance of a departure from it; —the reason of which is, that the Au-

of *Cbristianity*, mixed with the ancient philosophy of the *Persians*, in which he had been instructed in his youth—and to establish a scheme of *purity, holiness, and mortification*, which, among other things, consisted in total abstinence from *marriage*, and all comforts which arise from the bonds of conjugal tenderness—he affirmed that the Old Testament was not the work of God, but of the *prince of darkness*, who was substituted by the *Jews* in the place of the true God: and afterwards, finding that the New Testament would not fully answer the designs of this enormous *fanatic*, he threw a total discredit on the *four Gospels*, the *Acts of the Apostles*, and on *Paul's Epistles*, and supplied their place by a *gospel* which he pretended to be dictated to him by God himself. See *Mosheim, Maclaine's* edit. vol. i. 155.

Another *fanatic* arose in this century, whose name was *Hierax*—who maintained, that “ the principal object of
 “ CHRIST’S ministry was, the promul-
 “ gation of a NEW LAW, more *severe*
 “ and *perfect* than that of *Moses*; and
 “ from hence he concluded, that the
 “ use of *flesh, wine, wedlock*, and of
 10 “ things

endeavour of every writer on religious subjects; the moment we lose sight of these, we must be lost in endless mazes of contradiction and inconsistency—how can it be otherwise, if the *book*, from whence we must derive the matter of our discourse, be *inconsistent* with itself?

In vain are we *all* called upon—I Cor. i. 10.—*to speak the same thing—that there be no divisions among us—that we be perfectly joined together in the same mind and in the same judgment*—if the sacred writers of the Old and New Testament are at variance—or if MOSES said one thing and CHRIST another—or if GOD can be supposed to differ from *himself*;—for these consequences cannot be avoided, if there be one *law of less purity* in the *Old Testament*, and another of *greater purity* in the *New Testament*.

This latter notion has filled the world with more enthusiasts, fanatics, and mad religionists, than convents and cells could contain; it has peopled deserts, caves, dens, and forests, with anchorets, hermits, demoniacs, and other wild and gloomy mortals, who have represented human nature under such a form,

form, as almost to countenance the *Manichæan* notion of the creation of the world by the *prince of darkness*.

It were endless to attempt a recapitulation of all the *mischiefs* which have arisen, from setting the Old Testament and the *New* at variance—and from contending that the *holy law*, or *rule of life*, which God revealed for the government of the *Jews*, is not *holy and pure* enough for CHRISTIANS.

The condemnation of *marriage*, and other instances of rebellion against the *wisdom* of God, are but a part of that *spiritual wickedness*, which, through the prevalence of this notion, has taken possession of so great a part of mankind—those *mischiefs* which are the subjects of this *treatise*, all flow, as has been before observed, from the same principle, though they operate in a different manner.—I know not that the *fanatic* *, who took it into his head to live for thirty-seven years together on the top of an *high pillar*, by way of devotion, hurt any body but himself,

* See an account of this *pillar-saint*, and his sect, 1 *Moth.* p. 254.

unless

unless it were those who were *mad* enough to follow his example:—but when the law of *justice, mercy, and truth* (for such is the moral law of God) is laid aside, for a system of the most atrocious baseness and cruelty, which dissolves all *marriage-contract* whatsoever, and renders all *security* arising therefrom utterly *null and void*, unless ratified by *human authority*—then laying aside the *law which was given by Moses*, annihilating its obligations, and setting up a *new law*, not of God's ordaining, but of *man's device*, is severely felt by those, whose aggravated sufferings are the natural and infallible consequences of it.

As for the *moral law*, it is founded in the *relation* which men bear to God and one another; and therefore, as that *relation* is incapable of alteration, change, addition, or diminution—but must ever remain *one* and the *same*—so must that *rule of life and conduct*, which was established by *that law*. Therefore, when our *blessed SAVIOUR*, who came *not to destroy*, but to *magnify the law, and make it honourable*, *Is. xlii. 21.* and this by His own perfect, sinless, and most holy *obedience, even unto death*, is summing up the whole under
two

two general heads, which *He* calls the two great commandments of the law, *He* says, *On these two commandments hang (or depend) all the law and the prophets.*—There is not, *en est* (not there was not in the days of *Moses*, but) there is not now, any other commandment greater than these. Matt. xxii. 40. Mark xii. 31.

Hence, when the primitive *Christians* and *Fathers* took it into their heads to consider the New Testament as a distinct new system of faith and manners, which abrogated the *old law*, and set up for *itself*, they laid the foundation of the heresies and errors which have infested the church of CHRIST, as in other things so with respect to *marriage*. Had they interpreted what CHRIST said on the subject of *celibacy*, not by detaching the words, and taking them by their *sound*, but by comparing them with the Old Testament, thus taking them by their *sense*, they would not have stigmatized God's holy ordinance of *marriage* as an *impure and carnal* thing, and accordingly have thought the *married* less holy and pure than the *unmarried*—they would not have treated it as merely *allowable* (much less, like the blasphemy of *Jerome*, have reckoned it, as some did, among the

things *quæ sunt per se mala ac vitiosa*), but as a thing commendable, yea, *honourable in all*. Heb. xiii. 1. They would not have *raved*, as they did, against *second* marriages, calling them little better than *whoredom and adultery*, and holding men, as *beatthens and publicans* who entered into them; but they would have seen in the Old Testament, that when men, though already *married*, took *second wives*, such marriages were approved, blessed, owned, and even promoted by God Himself.—Thus would they have *learned not to have condemned the guiltless*. In short, they would have seen that *marriage*, in all the forms in which it appeared in the Old Testament, was an obedience to that first command uttered with the *first blessing* from Heaven—*Be fruitful, and multiply, and replenish the earth*—that their schemes of *celibacy*, and their other restraints of *marriage*, under notions of greater *purity and perfection*, were opposite to that command, and tended to the destruction of the *human species*—and that there was no more difference between their plans of feigned * *chastity*, and *murder*, than between

* For, after all, the *chastity* they pretended to was but ill observed. Witness the proceedings of the *clergy* in the *third century*, who, to humour the people,

from the days of the primitive *Christians* and *fathers*, abundantly declares, especially that part of it which respects the *church of Rome*. The *celibacy* of the clergy hath for *many ages been universal—millions of men and women have been taught to turn the *particular* and *occasional* recommendations of a *single life*, into general injunctions against *marriage* itself; thus *changing the truth of God into a lye*, *forbidding to marry*, and shutting themselves up in *convents*, *cloisters*, and other uncommanded retirements. *Satan's* grand plan is still carrying on among mankind, even where *Protestantism* prevails, witness the numbers of *females*, who are daily rendered unfit for the *ends of marriage* by *prostitution*. This would not be, if the *father of lyes* had not taught us to abrogate those salutary and beneficent laws of God, which were enacted in heaven, and delivered to *Moses* on *Mount Sinai*, to prevent this foul disgrace, and sad destruction of the *female sex*; and to substitute others, which render it more *safe* for a man to *ruin* an hundred *virgins*, than to *steal* a *six-pence*.

* Bishop *Newton*, in his ingenious and learned *Diff. on Proph.* vol. ii. p. 444, seems to date the prohibition of *priests* marriage, by public authority, so early as the council of *Eliberis* in *Spain*—Anno 105.

As far as this is attended with *depopulation*—which it must be in proportion to the numbers of women *seduced*, and abandoned to *prostitution*—so far doth *Satan* succeed in the destruction of the *human species*.

In this, and in many other ways, which have been mentioned in these *volumes*, doth the *enemy* of *God* and *man* find his account, from the substitution of *human invention* in the place of *DIVINE LEGISLATION*; which last, in every part of it, the more closely it is considered, the more it appears calculated to obviate those mischiefs, and to prevent those calamities, which, as *human nature* is now constituted, form so large and fatal a part of *female* misery.

How so considerable a portion of the *Christian* world could ever be brought, through a long succession of ages, to imagine it possible that *a jot or tittle of the* *DIVINE LAW* *could ever pass away*—or that the change which has been supposed, could be derived from *divine authority*—or that *God* could be less *provident* for the *protection* and *security* of the *weaker sex*, under the *New-Testament dispensation*, than under *that* of the *Old Testament*—is one of those *problematical* questions, which I freely own to exceed all the apprehension which I am master of.—I therefore leave it to be resolved by those, whose genius for *the*
 9 *inexplicable,*

inexplicable, may perhaps prompt them to attempt a solution of it.

All that I can say is, that if once we separate the New Testament from the Old, and set it up as a *distinct system*, explaining the words by the *sound* of them, we may prove CHRIST a *repealer* and *opposer* of God's law in *more instances than one*. As for example—Luke xiv. 26.—*If any man come to me, and hate not his father and mother, and wife and children, and brethren and sisters, yea, and his own life also, he cannot be my disciple*. However these words may *sound*, yet, when rightly understood, they are not to lessen *filial duty*—*parental* or *filial affection*—*brotherly love*—to weaken the great duty of *self-preservation*, or to dissolve the *conjugal union* and *affection* between a *man and his wife*;—but to shew that even *these* things, *obligatory* as they are in *themselves*, are but of *secondary consideration*, or indeed of *no consideration* at all, when they stand in competition with *doing* or *suffering* for the glory of God, in the maintenance of his *truth*. So ver. 33. *Whosoever he be of you that forsaketh not all that he hath, he cannot be my disciple*.—This cannot mean, consistently with other scriptures, that a man cannot be a *Christian* without he leaves his *wife and family*—*friends and relations*, and throws his *substance* into the sea, and

himself after it;—but that he is to prefer the *cause of GOD*, with the *loss of all things*, (see Phil. iii. 7, 8.) to the *whole world* (see Matt. xvi. 26.) when in times of difficulty and danger, for the *truth's sake*, he must either forsake one or the other. This, however, is not merely a New Testament doctrine, or something imposed by a *new law* of CHRIST—it is all to be looked upon as an exemplification of the *first great commandment of the law*—*Tbou shalt love the LORD thy GOD, with all thine heart, with all thy mind, with all thy soul, and with all thy strength.* Matt. xxii. 37. Mark xii. 23. Accordingly we find examples of as eminent *martyrs* under the Old Testament as under the New, as may be seen Dan. iii. 14—23. Dan. vi. 10, 16. See also 2 Maccabees vi. and vii. Heb. xi. 33, &c.—who forsook all for the cause of GOD, and *loved not their lives even to the death*. But when people began to separate the New Testament from the Old, and to set up CHRIST as a broacher of a *new system*, established on *new laws*, then *folly*, being set at work by *ignorance*, *pride*, and *self-righteousness*, began to devise plans of *piety* and *holiness*, which were to be more pure and perfect than the *laws of GOD*. Hence arose vows of *perpetual chastity*, *voluntary poverty*, and numberless uncommanded mortifications,

tions, and refusals of the *good creatures* of GOD, *which He hath commanded to be received with thanksgiving of those who believe and know the truth*, 1 Tim. iv. 3. Hence also, as has been observed, came the disparagement of *marriage*—the condemnation of *second marriages*—the reprobation of *polygamy*.—These things might do very well for such *dwarfs* in grace as *Enoch—Abraham—Isaac—Jacob—David*, &c.; but as the *Christians* began to think, that what they called the *Christian law* was more *holy* and *perfect* than the *law of Moses*, so they invented schemes by which they were to think themselves *more holy* than the believers of *old time*, whom they esteemed to live under a less *pure* and *holy rule of life*, than what they ignorantly called the *law of CHRIST*. This *blasphemy* against GOD's *most holy law* (for it was no better) passed for very exalted *piety*, and was a part of that *mystery of iniquity*, which at length branched itself into so many orders of *monks—nuns—friars—hermits—anchorites*, among the *Papists*—and so many fanatical wild *sects* among the *Protestants*, well described by the ingenious author of *Hudibras*, where he says—

*Religion spawn'd a various rout
Of petulant capricious sects,
The maggots of corrupted texts.*

Nearly allied to all this was the invention of a number of human *rites* and *ceremonies*, which were to attend upon the *ordinances* of God, and which in process of time began to be mistaken for the *ordinances themselves*, or at least so *essential* a part of them, as that the *ordinances* were looked upon as *nothing* without them. *Baptism*, which simply consisted in *dipping* a person in water, or *pouring* water upon them, in the name of the ever-blessed TRINITY, was to be accompanied with *rites* of human *invention*, and *ceremonies* of *man's device*, or else it was good for nothing—such as *anointing*—*prayers*—*imposition of hands*—*the sign of the cross*—*exorcism*—*salt*—*spittle*—and certain *sureties* called *godfathers* and *godmothers*.—So the sacrament of the *Lord's Supper*, as simple an institution as the other, and consisted in *eating bread* and *drinking wine* in remembrance of CHRIST's *death* and *sacrifice*, was loaded with *rites* and *ceremonies*, by which, in process of time, a piece of *wafer* was supposed to become the *flesh*—*bones*—*body*—and *blood* of a *man*, first to be *worshipped* and then *eaten*. No marvel then that *marriage*, when the Popish visionary, *Peter Lombard*, had found it out to be a *sacrament*, and *Pope Innocent III.* threw the administration of it into the hands

hands of the *priests*, should also have ceremonies invented and annexed to it, which, by degrees, wrought upon the *credulity* and *superstition* of the people, so as to obscure the *real* nature of the *institution*, as *ordained* of God, be put in its place, and, in length of time, be mistaken for the *thing itself*. *Superstition* is always ready to give an helping hand to such sort of things, by obtaining the sanction of *custom* for their support. Still the ordinances of God are just the same in themselves and *by themselves*, as well as in their *validity*, *operation*, and *effect*; they are not *added* to in these respects by the *inventions* of men, nor *diminished* by the *want* of them. What *was baptism* when CHRIST ordained it, *is baptism* still—what *was* the sacrament of the *Lord's supper*, *is* still the same—and that which made a *woman* a man's *wife*, when it was said—they shall be *one flesh*, makes her so at this moment, and *will* do to the end of the world.—This is clearly laid down in the New Testament, as well as in the Old Testament, by CHRIST, Matt. xix. 6. and St. Paul, 1 Cor. vi. 16. See before, vol. i. p. 18. The various alterations which the *superstition* of *some* have introduced into these matters, and which the credulity of *others* have received, still leave the *things*

28, 29, which positively forbid it, and which neither *man* nor *angel* can invalidate the force and obligation of.

That the observance of these laws must be attended, in some instances, with *polygamy*, is certain. The *all-wise legislator* must foresee this, as nothing can be hidden from Him—yet no exception, no qualifying clause, no restriction, is found in these laws as to the circumstances or situation of the *man*; and that no such thing was intended, appears, not only from the construction of the *Hebrew* words —אִישׁ כִּי—if *any man*—but also from the *evident* care which is taken of the honour of the *seventh* commandment, by adding the words לֹא אֵרְשָׁה—non desponsata—not *betrothed*—to the description of the *damsel*.—Some such exception must certainly have been found with regard to the man, if the honour of *that law* had been endangered by *polygamy* on *his* side, as on the *side of the woman*. Another reason why no exception is made, is, the apparent objects of these laws themselves—which were, to secure the validity and obligation of the *marriage ordinance*, so that no man should put away and abandon the *virgin* he had *taken*; thus also to secure and protect the *weaker sex* from seduction and dereliction, consequently from *prostitution*; thus to prevent *whoredom*

dom and *fornication*, and all other evils arising from wanton and causeless *divorces*. But even *polygamy* itself was regulated and circumscribed: it did not follow that a man might take any number of *wives* he pleased, because he might take more than one. The *maintenance* and *provision*, as well as the due *communication* of *his person*, (called by *Moses* נָשִׂיךְ—*duty of marriage*, Exod. xxi. 10. and by St. Paul, 1 Cor. vii. 3. Ὁφειλομένην ἔυνον—*due benevolence*) were not to be withdrawn from any *first* or *preceding wife*; so that much depended on the circumstances of the man.—All beyond *

* Doubtless in this, as in all things else, which, however lawful or innocent in themselves, may become sinful by abuse and excess, we may say with *Horace*—

*Est modus in rebus—sunt certi denique fines,
Quos ultra citraque nequit consistere rectum.*

Some certain mean in all things may be found,
To mark our virtues, and our vices bound.

FRANCIS,

That *polygamy* is *lawful in itself*, and in many cases *expedient* (see before, p. 192, 193, n.) in some *duty* (see vol. i. 268, n. 297—8.) none can deny, who will yield to the testimony of the scripture, and plain matter of fact. But where it is entered upon with no other view than to pamper the appetite, and to indulge a love of variety, it degenerates into *evil*; and seems to be to *marriage*, what gluttony and drunkenness, and excess of apparel, are to *food* and *raiment*—a sinful, because a forbidden, *abuse* of lawful and necessary things. See before vol. i. preface, xxii. xxiii. and this vol. p. 324 and n.

this

this was called *multiplying wives*, and, like other unreasonable excesses, forbidden even to persons of *royal* dignity. Deut. xvii. 16, 17. What *Solomon* suffered for his neglect of this law, may be seen, 1 Kings xi. 1—14.

I have said so much on this subject of *polygamy*, because it is so little understood, owing to its being taken for granted to be *sinful*, because every body is taught to believe so, though the reason of this belief is not to be found in God's word, but in the imaginations of people, who derive their notions upon the subject from *prejudice* and *vulgar error*, just as the *Papists* do their notions of *purgatory* or *praying to saints*. However, it is highly necessary that every part of the *divine plan* for regulating the *commerce of the sexes* should be considered upon the footing of the *divine law*, that all stumbling-blocks may be removed out of the way of that *retributive justice* so strongly commanded in that law to *every man*, and therefore which *every man* owes to the *virgin* which he has once received *into his possession*. Declaring *polygamy* to be a *sin*, that it is a *transgression of the law*, when there is no * law against it, is, to say the least

* *Where no law is, there is no transgression.* Rom. iv. 15. *Sin is not imputed when there is no law.* Rom. v. 13.

...to be hoped, that
...in *major* credit, for
...the struggling subjects,
...military, or care-
...the diligence
...is a noble. The
...that he
...the *divine*
...of the question,
...what he
...and will of
...on every
...been considered. Not-
...if he could suppose
...the disposal of
...vulgar error, and
...expect little
...complaint in If.
...*I have*
...*and in vain.*—
...and recollects
...it was, that
...for maintain-

books, were publicly and ignominiously burnt, and hundreds of the wisest and best of men were committed to the flames, are now the *standards* of our *national faith*—when he recollects, that being a *bigamist*, or *twice* successively to be married, was once *infamous*, but now *honourable*—that for a *clergyman* to *marry at all* was, a little more than two hundred years ago, *felony** both in the *man and wife*—but that now the truth of scripture prevails, and *marriage is honourable in ALL*—when he reflects

devised. In 1557 his body was dug up, and burnt, together with that of *Fagius*, for *heresy*—and the very *churches*, where they had been buried, laid under an *interdict*.

Another proof this, of the *wisdom and stability* of HUMAN OPINION!

See *Burnet Hist. Ref.* vol. ii. 163, 345.

* The words of this most horrible law, 31 H. VIII. c. 14. are—“ or any man which is or hath been
“ a *priest*, do carnally use any woman, to whom
“ he is or hath been *married*, or with whom he
“ hath contracted matrimony, or openly be con-
“ versant or familiar with any such woman, both
“ the man and the woman shall be adjudged *felons*.”

Let us suppose a *priest* indicted on this statute—he is arraigned, and pleads *not guilty*. In the course of the trial it comes out, that the *woman* in question is a common *harlot*; his *intimacy* with her is proved, but *no marriage*.—He must be *acquitted*.—So if the *woman* was proved to be *only the wife of another man*.—Here *whoredom* or *adultery*, fairly proved, would have saved the man's life—*marriage* would have destroyed it.

On

reflects that “ if any taught their children the LORD’S Prayer—the Ten Commandments—and Apostles Creed, in the vulgar tongue, it was crime enough to bring them to the stake, as it did six men and a woman at Coventry, in the passion-week, 1519.” — (See Burnet Hist. Ref. vol. i. p. 31.)—but that now, on the baptism of our children, a solemn charge is given to the sponsors, that—“ they chiefly provide that the children may learn the Creed—the LORD’S Prayer—and the Ten Commandments, in the vulgar tongue”—I say, when the author reflects on these and many other instances of the like kind, he owns himself inclined to adopt the advice

On the same principles, let us argue as to an indictment for *bigamy* on 1 Jac. c. 11. where the said *peccadillos* of *whoredom* or *adultery* would equally befriend the prisoner.

Then let us ask ourselves—how much *wiser*, or more conformable to GOD’S law, this is than the other?

This *age* has learned to look upon the *first* of the above laws with indignation and just abhorrence—as no doubt *future ages*, if the world grows *wiser* as it grows *older*, will look upon the *second*.

Be it remembered, that, in both cases, the man is indicted as a *capital* offender—his *life* put in jeopardy for supposed crimes, which the *divine law* no where condemns—and that his life is saved, by only having committed one or other of what are *capital offences* by the law of Heaven—or by claiming the benefit of clergy if convicted.

of the wisest of the sons of men—EccI. xi. 1.—*Cast thy bread upon the waters, for thou shalt find it after many days;*—and not to be without hope that a day may come—when *adultery*—which, though it be the most malignant species of *robbery*, does not amount with us to the guilt of a *petty larceny*—will become terrible even to think of, much more so to *perpetrate*, when men cannot indulge their *gallantry* but at the peril of their lives. A time may also come, when seduction, prostitution, and the ruin of the *weaker sex*, shall be put a stop to, by our adopting the salutary provisions of the *divine law*—when *child-murder*, *female suicide*, and all the other dismal effects of men's villainy, falsehood, and treachery, shall be prevented—when *fear* and *shame* shall no longer be the concomitants of God's *own ordinance*, but the magistrate, as in *Israel*, be armed with a sufficient power to enforce a public recognition of it:—then will *marriage* be promoted—*population* increased—God honoured—millions saved from destruction!

To recommend all this is the purpose of these pages.—As for the Author—*Modò hæc tibi, lector Christiane, usui sint, quemvis authorem fingito*—All that remains for him, is, to endeavour not to be *misunderstood*. He therefore

desires to conclude, with explaining himself, as to those ERRORS, which appear to him to result from the present *system* of things, and which, therefore, he would wish to be rectified in the apprehensions of mankind.

I.

That the GOD and CREATOR of all things is not the *sole* legislative power, with respect to the *moral* actions of His reasonable creatures, as they relate to HIMSELF.—Therefore,

2.

That the laws, customs, and inventions of men, are to supersede, and set aside, the obligations of the *divine law*.—Therefore,

3.

That *marriage* is *not* that which God's law makes it, but that which has been established by the authority of the church of *Rome*—adopted by *Protestants*—and confirmed by *act* of *Parliament*.—Therefore,

4.

The *seduction*, &c. of *virgins* creates no legal obligation in the man to marry, or to provide for them in any wise, unless an *human ceremony* be performed:—on the contrary, they are to be reputed INFAMOUS—and, under the temptations of *fear* and

and *shame*, be reduced to the horrid and unnatural barbarity of either *murdering* their infants, in order to concealment, thus exposing their own lives to the hands of the public *executioner*—or, with the loss of *friends* and *reputation*, be driven as vagabonds on the face of the earth, to seek a wretched maintenance in common *prostitution*, and thus incur all the consequences of disease, misery, ruin, and destruction:—while the *men*, who are the guilty and inhuman authors of their calamities, are under no responsibility or obligation whatsoever.

5.

The releasing and absolving men from their *promises*, *vows*, and even *oaths*, so that no *private* contract of marriage, though “becoming *matrimony* by *con-summation*” (see vol. i. p. 30. and vol. ii. p. 56.) shall be binding—to the great dishonour of Almighty God—in defiance of his laws—and to exposing numbers of the *female sex* to ruin and destruction. And this by,

6.

Adding impediments, and laying difficulties in the way of *marriage*, which are not warranted by the LAW of GOD.

C c 2

7. That

7.

That *adultery*, though a capital offence by the law of God, subjects neither party to any indictment or prosecution whatsoever, in any of our courts of criminal judicature; and is of less *penal* consequence to the guilty parties than the stealing a *six-pence*.

8.

It being held no cause of divorce from *the bond of matrimony*, without an *act of parliament*, none but the *rich* can do themselves justice, or be at liberty to resort to that remedy, to which they are intitled by *nature, reason, and scripture*.—Therefore,

9.

It may be, and doubtless is, the fate of numbers of injured husbands, either to cohabit with adulterous wives—or to be reduced to all the *inconveniences* and *temptations* of a *single state*, without being able to help themselves; and at the same time to all the *burdens* and *inconveniences* of a *married state*, yet unavoidably deprived of all the comforts of it—to the grievous and irremediable distress of the injured.

10.

That *polygamy* is against the law of
God—

GOD—or, “ though allowed to the *Jews* “ under the *law*—yet is in *no case* “ lawful to *Christians* under the *gospel*.” By *our law* it is totally and indiscriminately prohibited, on *pain of death*.—Hence it follows, that men who are *once married*, though deprived utterly of the ends and benefits of *marriage*, by *barrenness*, distemper of *mind*, or disease of *body*, in their wives—or unavoidably compelled to *separation*, by the most reasonable and justifiable causes—must be content to submit to all the inconveniences of *celibacy*—whether it be to the *extinction* of their families, which is one means of *depopulation*, or, the being exposed to all the temptations to *vice* which attend an *unmarried* state, and to all their dreadful consequences, rather than break through the laws which *men* have *imposed* on them, by using the remedy to which they are intitled by the *law of God*. See before, p. 193 n.

These, and many other consequences of our present system which regards the *commerce of the sexes*, equally dangerous to the peace, happiness, comfort, and welfare of society, as well as destructive, more especially to the *weaker sex*, and dishonourable to the government of the

world, as established by the *divine Legislator* at *Mount Sinai*, are what, from visible and daily proofs, the *author* apprehends, call loudly for *reformation*. This on the *basis* of that wise, holy, uniform, and consistent system of *moral government*, which *was not made for the righteous*, (i. e. for man in a state of innocence and perfection) but for the *lawless and disobedient*, &c. (1 Tim. i. 9.) i. e. for mankind in a fallen and corrupted state—and therefore necessarily containing many *positive precepts*, which are wisely contrived to obviate the sad consequences of those *evils*, which, in a state of *innocence* and *perfection*, could not have existed.

To point out these defects—to set forth their remedy on the evidence of *DIVINE REVELATION*—to recommend the whole to the most serious consideration of *all men*, but more especially to the *legislative powers*—is the *author's real design*.

How this has been executed, is left to the reader to determine.

As for *favour*, the *author asks* none.—If what he hath written be contrary to the *law of GOD*—he *deserves* it not—If, on the contrary, what hath been submitted

submitted to the *reader*, be agreeable to the *divine* LAW and TESTIMONY—the *author* puts himself entirely out of the question; and as for *critics*, *cavillers*, *objectors*, and *disputers* of this world—whether they be of the sect of the SADDUCEES, who say *there is no resurrection, neither angel nor spirit*—or of the sect of the PHARISEES, *who confess both*—but prefer *tradition* to *scripture*—

Quid curet LUNA latratus canum ?

Which, if the reader pleases, he may thus paraphrase—

As when, with radiant majesty, the MOON,
In her full orb, ascends her highest noon,
The bark of dogs, and howl of wolves, in vain
Insult the glories of her peerless reign :
Thus, beaming forth from SCRIPTURE's holy page,
Tho' scoffers cavil and opposers rage,
Fix'd in its sacred orb, THE TRUTH will shine,
Ever be GLORIOUS—ever be DIVINE.

I conclude the whole, with recommending to the *reader's* serious recollection and meditation, that most solemn, most noble, and most sublime *testimony*, which MOSES, THE MAN OF GOD, under the immediate *inspiration* of the HOLY SPIRIT, bare to the ho-

liness, perfection, purity, and transcendent excellency of the LAW OF JEHOVAH.

DEUT. iv. 5. &c.

Behold, I have taught you statutes and judgments, even as the LORD my GOD commanded me, that ye should do so in the land whither ye go to possess it. Keep, therefore, and do them; for this is your wisdom and your understanding in the sight of the nations: which shall bear ALL THESE STATUTES, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, who hath a GOD so nigh unto them, as THE LORD our GOD is, in all things that we call upon Him for? And what nation is there so great, that hath STATUTES AND JUDGMENTS SO RIGHTEOUS, as ALL THIS LAW which I set before you this day?

APPENDIX, N° I.

Referred to vol. i. p. 111.

In which the case of *Hannab*—I Sam. i.—
is more *particularly* considered.

AS I should be sorry to be misled myself, so I should be equally anxious not to mislead others, with respect to any scripture quoted, referred to, or explained in the foregoing pages, and so many of which have been employed to prove that *polygamy* is neither against any law given before the *Sinai-covenant*, nor against any law *then* delivered; consequently, is not *sinful*—for *sin is not imputed where there is no law—and where there is no law there is no transgression*. Rom. v. 13. iv. 15.

As a proof of God's *own* sentiments on the matter, I have produced the striking instance of *Elkanah the Levite*, and his *two wives*, *Peninnah* and *Hannab*; and by considering *Hannab* as taken after, and in the life-time of *Peninnah*, have drawn arguments, which appear to me conclusive, with regard to the main point, viz. that if *polygamy* was a transgression
of

of the *original institution of marriage*—of the *seventh commandment*—or of any other *positive law* of God, it is highly unreasonable and absurd to suppose, that God should so signally *blefs*, and *own* it as lawful, in so many instances, and *particularly* in that of *Hannah*.—But I find it is an usual opinion, and that several *commentators* rather seem to embrace it, that *Peninnah* was the *second wife*, and *Hannah* the *first*; I have the more earnestly and more diligently examined the *whole* passage, as willing to retract what I have said if it be *false*, as to abide by it if it be *true*.

The ground on which the opinion that *Hannah* was the *first* wife is built, is a very uncertain one, *viz.* that “*she is* “ * *named first.*” 1 Sam. i. 2. But the
very

* The *Hebrew* words—אֶחָת וּשְׁנִיית—though they may be rendered *first* and *second*, yet are so frequently used for *one* and *the other* (as in our translation) that nothing conclusive can be gathered from them in this place. See Exod. i. 15. Numb. xi. 26. Ruth i. 4. 2 Sam. iv. 2. The best way of considering the matter, is to advert to the whole of the following context; in which it appears, from many circumstances, that *Hannah* was the *second* or *after-taken wife*.

And indeed there is a very natural and obvious reason why *Hannah*, though the *second-taken* wife,
should

very next sentence furnishes us with just as good a reason for supposing *Hannab* was the second, for there *Peninnab* stands *first*—*And Peninnab had children, but Hannab had no children*:—and the reason still grows stronger for supposing *Peninnab* to be *first*, ver. 4. for there she is not only mentioned *first*, but has the precedency of a *first* wife given her by her husband *Elkanab*, who served her *first* of the *peace-offerings*:—*And when the time was come that Elkanab offered, he gave to Peninnab his wife, and to all her sons and daughters, portions; but to Hannab he gave a more worthy portion, for he loved Hannab*; i. e. she was his favourite, as *Rachel* was *Jacob's*, Gen. xxix. 30. The custom of placing the *eldest first* was very antient, as we find, Gen. xliii. 33. *And they set before him, the eldest according to his birth-*

should yet be named *first* in the beginning of the *history*—because the subsequent parts of it *principally* relate to *her* and her son *Samuel*.

For a like reason we may suppose *Shem* to be mentioned first of the *sons of Noah*—Gen. x. 1.—though not the eldest, *Shem* and his descendents being the chief subject of the *sacred history*.

So *Moses* is commonly placed before *Aaron* (though *three years* younger) wheresoever they are named together, *Moses* being the *principal* person treated of.

right,

right, and the youngest according to his youth—and he took and sent messes to them from before him; but Benjamin's was five times as much as any of theirs. Benjamin was distinguished as the favourite of his brother Joseph, tho' younger than all the rest; so was Hannab, the youngest or after-taken wife, distinguished as the favourite of Elkanab, and though, as youngest, helped after Peninnab, and her sons and daughters, yet had a larger share, or, as it is mentioned in the margin, a double portion. This is our translation; but the words מנה אחת אפים literally signify—"a piece, part, or portion of the roasted meat"—some more choice part, we may suppose, which he had reserved for her. Elkanab's love, and preference of Hannab in his affections, would hardly have suffered him to place her after Peninnab, if Hannab had not been the youngest and after-taken wife; any more than Joseph's affection to Benjamin would have suffered him to have placed him below the rest of his brethren, had it not been against all rule to have done otherwise.

But if we look more deeply into this scripture, we may gather from *Hannab's song*, chap. ii. 1—10, a certain proof that *Hannab* was the *second wife*. The
song

song itself is evidently *prophetical*, it treats upon the same subject as that of the *Virgin Mary*, which is recorded Luke i. 46—54; and these *two wives of Elkanah*, are spoken of as typical of what should come to pass in the latter days, when the *Jews*, the elder professing people of God, and who brought forth professing children, should become *barren*, and the poor *barren Gentiles* become fruitful. *Hannab* says, chap. ii. 5. *The barren hath borne seven, and she that hath many children is waxed feeble.* A clear prophecy of the rejection of the *Jews*, and the calling of the *Gentiles*, the former typified by *Peninnah*, and the latter by *Hannab*. So Is. liv. 1.—alluding to the same interesting and wonderful events—says, *Sing, O barren, thou that didst not bear; break forth into singing, and cry aloud, thou that didst not travail with child; for more are the children of the desolate, than the children of the married wife, saith the Lord.* In this view of the matter, *Hannab* must certainly be the *second wife*, as the *Gentiles* were called subsequently to the *Jews*, or else the whole similitude of this *prophetical* transaction, as to the fulfilment of it, in the rejection of the *Jews*, and calling of the *Gentiles*, is destroyed at once.

For

For all these reasons, it is surely manifest, that *Peninnab*, who was a figure of the *Jews*, was the *first-taken wife*, and that *Hannab*, who was a figure of the *Gentile church*, was the *second in point of time*. Nor is it likely that *Elkanab*, having a wife whom he liked better, should take another he liked worse.—The contrary is very probable.

That *Hannab* should delay her anxious requests for a child, till after a *second* wife had been taken by her husband, and till by this second he had *sons and daughters* * grown up, is inconceivable; but that *Peninnab*, the *first wife*, who had left off *breeding* (see chap. ii. 5, latter part)—full of rage, and jealousy, and indignation, from observing *Elkanab*'s partiality to an *after-taken wife*—should become her bitter *adversary*—say every thing to vex her, with bitter taunts upon the subject of her

* By ver. 4, where it is said, that, *when the time was that Elkanab offered, he gave to Peninnah his wife, and to ALL her sons and daughters, portions*—it should appear that *Peninnah* had brought him many children. Comp. chap. ii. 5.—Their being *grown up*, may be gathered from their attendance on the tabernacle, and partaking of the sacrifices, and this for *several years* together, as may be gathered from ver. 7.—*And as he did so*—שנה בשנה—*Anno in anno*. Mont. *Annuatim*. Pagn. *Year by year*. Eng. *Transf.*

barrenness (which was reckoned a matter of disgrace among the *Jewish women*) and thus afflict and grieve her, 'till, in the sorrow, grief, and anguish of her spirit, she prayed earnestly to have *her reproach taken away* (see Gen. xxx. 23.) is surely the plain, obvious, natural sense of the history. Something like this may be supposed to have happened between *Leah* and *Rachel*, Gen. xxx. 15, 22, 23.

But let us suppose, for *argument's sake*, what, for the reasons above mentioned, can never be allowed, that *Hannah* was the *elder wife*, still the history affords a very conclusive proof that *polygamy* is no *transgression of any law of God*, therefore *no sin*. *Elkanah* was a *Levite*, who came up to worship and sacrifice to the LORD, probably *peace-offerings*, which were wont to accompany others at the great *festivals*, all of which—except the *fat*, which *was burnt upon the altar*, and the *breast and right shoulder*, which belonged to the *priests*—belonged to him that offered them; with the rest the *sacrificer* made a feast * for himself, his family, and friends, giving to every one a *portion* of the sacrifice.—But no one could *offer*, or *feast* upon the

* See Deut. xii. 12. xvi. 11. 2 Sam. vi. 18, 19.

sacrifices,

For all these things, *Elkanah*, on pain of
 fest, that *Peninnah* was a *Levite*. Lev. vii.
 the *Jews*, were *Saul* accounting
 that *Hanna* was from the feast, on the
 Gentile church. 1 Sam. xx. 26.
 time. Not *knowing* that was *unclean*,
 ing a wife was bodily disorder upon him,
 take another *prophy*, and the like, rendered
 is very *unclean*, so that he could neither

Th. *upon the offerings*. But what
 require *unclean* of that man, whose
 wife *unclean* must have been what
 all *unclean* was, if he could be deemed to
 in adultery? for that he certainly
 was, if *polygamy* was a sin against the *se-*
cond commandment. Could he have come
 year after year, to worship and to
 to JEHOVAH, under such a state
 of *moral* defilement and uncleanness?
 Could he have found blessing and accept-
 ance, while in the sink of *moral* filth and
 pollution? *Hophni* and *Phineas*, *Eli's*
 two sons, were both cut off in one
 day, for the abuse of the offerings of
 God, and for their uncleanness, 1 Sam. ii.
 17, 22, 34; but *Elkanah* remains in his,
 accepted of God, and happy in being
 blessed with a *son* (and such a *son* as *Sam-*
uel) by miracle. Again, what was *Pe-*
innah? a partaker, a partner, in *Elka-*
nah's

if their marriage was unlawful, what were the sons and daughters who were born of *Peninnab*, under such a hidden marriage? *Bastards*.—Therefore *Peninnab*'s eating of the sacrifices, as well as her *children's*, were absolutely forbidden things. Even the *hire of an whore* was forbidden to be brought into the house of the LORD. Deut. xxiii. 18. how much more the person of an adulteress? and as for a *bastard*, or one born of her who was with child by *whoredom*, he was not even to enter into the congregation of the LORD, even to his tenth generation. Deut. xxiii. 2. How then could *Elkanah* himself—how could *Peninnab* (supposing her the *second wife*)—how could the *children born of these parents*, go to the house of the LORD in *Shilo*—feast upon the sacrifices, and return in peace, with God's blessing and acceptance, unless the *second marriage* was as lawful in God's sight as the *first*, and no more than *that*, an offence against God's law? In whatever view we take this chapter, it proves, that neither the words of the primary institution, nor those of any subsequent commandment, prohibited polygamy; for if they had, these things respecting *Elkanah*, *Peninnab*, and their children, could

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not have been as they were, consistently with the scripture-character of that HOLY GOD, *who is of purer eyes than to behold evil, or to look on iniquity.* Hab. i. 13.

Here I might once more mention the case of *Soloman*, the son of *David* by *Bathsheba*, whom *David*, having other wives before, took to wife after the decease of *Uriah*. The law, which positively excluded bastards, or those born out of lawful wedlock, from the congregation of the LORD, even unto the tenth generation, (Deut. xxiii. 2.) is wholly inconsistent with *Solomon's* being employed to build God's temple—being the mouth of the people to God in prayer—and offering sacrifices in the temple at its dedication—unless *David's* marriage with *Bathsheba* was a lawful marriage—*Solomon* the lawful issue of that marriage—consequently polygamy no sin, either against the primary institution of marriage, or against the seventh commandment.—But so far from *Solomon's* being under any legal disqualification from the law above-mentioned—he is appointed by God himself to build the temple, 1 Kings viii. 19. *His prayer is heard—and the house is hallowed*, chap. ix. 3. and filled with such glory, that the priests could not stand to minister, chap. viii. 11. *Solomon*, therefore,

therefore, as well as *Samuel*, stand as a demonstrable proof, that a child born under the circumstance of *polygamy* is no *bastard*—*GOD Himself being the judge, whose judgment is according to truth.*

A more striking instance of *GOD's thoughts*, on the total difference* between *polygamy* and *adultery*, does not meet us any where with more force and clearness, in any part of the *sacred history*, than in the account which is given us of *David* and *Bathsheba*, and their *issue*.

When *David* took *Bathsheba*, she was another's *wife*—the *child* which he begat upon her in that situation was begotten in *adultery*—and the thing which *David* had done displeased the *LORD*, 2 Sam. xi. 27. And what was the consequence? We are told, 2 Sam. xii. 1. *The LORD sent Nathan (the prophet) unto David.* *Nathan* opened his commission with a most beautiful parable, descriptive of *David's* crime; this parable the *prophet* applies to the conviction of the delinquent, sets it home upon *his conscience*, brings him to *repentance*, and the poor penitent finds *mercy*—his life is spared, ver. 13. Yet *God* will vindicate the honour of His *moral government*, and that in the most awful manner—the murder of *Uriah* is

* See also vol. i. p. 280—2.

to be visited upon *David* and *his house*—*The sword shall never depart from thine house*, ver. 10. The adultery with *Bathsheba* was to be retaliated in the most aggravated manner—*Because thou hast despised me, and hast taken the wife of Uriah the Hittite to be thy wife—Thus saith the Lord, I will raise up evil against thee out of thine own house—and I will take thy wives and give* them unto thy neighbour before thine eyes—and he shall lie with thy wives in sight of*

* God's taking and giving *David's* wives to *Ab-salom*, is to be understood in a very different sense from His giving the deceased *Saul's* wives into *David's* bosom, ver. 8. This last is peculiarly mentioned as a favour done to *David*, and therefore spoken of as an ingredient to heighten his ingratitude in taking the wife of *Uriah*—the other was threatened as a judgment, and permitted, as many other evils are, in a course of providence, as a fore punishment on *David* for what he had done. But *Ab-salom* was nevertheless guilty of adultery and incest, in taking his father's wives and lying with them, and is no more excusable, than he was in drawing his sword in rebellion against his father, because this, as the other, was a fulfilment of God's threatening—ver. 11. *I will raise up evil against thee out of thine own house.*

So when it is said—*Ezek. xx. 25.—I gave them statutes that were not good, and judgments whereby they should not live; and I polluted them in their own gifts, &c.* it appears from ver. 24, where the reasons of this are set down, that all was in a way of judgment for their departure from the statutes of *Jehovah*. Wherefore—God left them to follow the deceit

of this sun—for thou didst it secretly, but I will do this thing before all Israel, and before the sun. All this was shortly fulfilled in the *rebellion and incest* † of *Absalom*, chap. xvi. 21, 22. And this was done in a way of *judgment* on *David*, for taking and defiling the wife of *Uriah*, and was included in the *curses* threatened, Deut. xxviii. 30. to the despisers of God's laws.

As to the issue of *David's* adulterous commerce with *Bathsheba*, it is written—2 Sam. xii. 15.—*The LORD struck the child which Uriah bare unto David, and it was very sick.* What a dreadful scourge this was to *David*, who could not but read his *crime* in his *punishment*, the following *verses* declare; wherein we find *David* almost frantic with grief: however *the child's sickness was unto death*, for, ver. 18, *on the seventh day the child died.*

Now let us take a view of *David's* act

deceit of their own hearts, the consequence of which may be described, Ps. cvi. 39. *Thus were they defiled in their own gifts, and went a whoring with their own inventions.* As if God had said—I gave them—that is—I permitted them to follow—such *statutes and precepts*, as a judgment on their departure from ME. See *Jews Letters to M. de VOLTAIRE*, vol. i. p. 339—341. a very sensible solution of this passage of *Ezekiel*.

† For the tragical story of *Amnon*, see 2 Sam. xiii. throughout.

of *polygamy*, when, after *Uriah's* death, he added *Bathsheba* to his *other wives*, ver. 24, 25. *And David comforted Bathsheba his wife, and went in unto her, and lay with her; and she bare a son, and he called his name (שלמה) Selomoh (that maketh peace and reconciliation or recompence) and the LORD loved him.* Again, we find *Nathan*, who had been sent on the former occasion, sent also on this, but with a very *different* message—*And He (the LORD) sent by the hand of Nathan the prophet, and He called his name JEDIDIAH (DILECTUS DOMINI—beloved of the LORD) because of the LORD—i. e. because of the favour GOD had towards him, ver. 24.*

Let any read onward through the whole history of *Solomon*—let them consider the instances of *GOD's* peculiar favour towards him already mentioned, and the many others, that are to be found in the account we have of him—let them compare *GOD's* dealings with the *unhappy issue of David's adultery*, and this *happy offspring* of his *polygamy*—and if the *allowance* and *approbation* of the *latter*, doth not as clearly appear, as the *condemnation* and *punishment* of the former, surely all distinction and difference must be at an end, and the scripture itself lose the force of it's own evidence.

APPENDIX N° II.

See before, Vol. i. p. 393—4.

HAVING mentioned *Barbeyrac's* note e e. on *Grotius de Jure*, lib. ii. c. v. sect. 9.—in which the latter is represented as having changed his opinion, with regard to a *new law* of CHRIST on the subject of *polygamy*—I was much inclined to examine farther into this matter, and therefore procured *Barbeyrac's* French translation of *Grotius de Jure*, with the *French annotations*, to which *Barbeyrac* refers in the above note, imagining that I might there meet with a more ample account of the matter.

On searching the *notes* of this learned *Frenchman* on his translation of *Grotius de Jure*, I find abundant proof of a very great change of sentiment in that great man.

D d 4

I will

I will lay this before the reader in the very words of *Barbeyrac* ; whose proofs are incontestible, because taken from the writings of *Grotius* himself.

The first passage which I would mention, is, *Barbeyrac's* note on Grot. de Jure, liv. ii. c. v. sect. 9. No. 7. which, as far as it relates to this matter, stands thus.

“ Pour éclaircir la matière, & pour
 “ savoir en même tems ce que pensoit
 “ nôtre auteur depuis la premiere édi-
 “ tion de cet ouvrage, ou il ne fit né-
 “ anmoins aucun changement dans cet
 “ endroit ; il est bon d'ajouter ici quel-
 “ ques unes des reflexions que l'on
 “ trouve dans son commentaire sur le
 “ *Nouveau Testament*, Matt. v. 32. Il
 “ remarque donc d'abord, que notre
 “ Seigneur JESUS CHRIST ne pretend
 “ point, dans ce passage, non plus que
 “ dans tout le reste de son discours fait
 “ sur la montagne, abolir aucune par-
 “ tie de la loi de *Moïse* : il veut seule-
 “ ment montrer de quelle maniere,
 “ & en quel cas un homme-de-bien
 “ peut profiter de la permission du di-
 “ vorce accordée par un des reglemens
 “ politiques de cette loi, qui subsistoit
 “ encore dans le tems qu'il parloit. Il
 “ ne

“ ne s’agit point par conséquent d’une
 “ cause de divorce portée devant les juges:
 “ car, outre qu’un mari, qui vouloit re-
 “ pudier sa femme, n’étoit point obligé,
 “ selon la loi, de le faire par voie de
 “ justice; lors qu’il accusoit sa femme
 “ d’adultère devant les juges, cela al-
 “ loit à la faire punir de mort, selon
 “ la loi, & non pas obtenir une disso-
 “ lution de mariage.

“ Ainsi quand nôtre seigneur parle de
 “ l’adultère, comme d’une juste cause de
 “ divorce, il suppose ou un mari doux
 “ & clement, qui ne vouloit point faire
 “ punir sa femme, quelque coupable
 “ qu’elle fut d’infidélité, comme *Jo-*
 “ *seph* en usa à l’égard de *Marie*, dans
 “ le tems qu’il ne pouvoit encore savoir
 “ la cause miraculeuse de sa grossesse;
 “ ou bien un mari, qui n’avoit pas de-
 “ quoi prouver en justice l’infidélité de
 “ sa femme, quoiqu’il en fut persuadé,
 “ ou que même il en eut des preuves
 “ indubitables pour lui.”

“ To elucidate the matter, and to
 “ know at the same time what our au-
 “ thor (*Grotius*) thought since the first
 “ edition of this work (*De Jure*)—in
 “ which nevertheless he made no altera-
 “ tion of this passage—it is proper to
 “ add here some of the reflections which
 “ we

I have seen many who have written on the New Testament. He remarks then, are the words of JESUS CHRIST doth all in this passage, in the whole of his discourse, to * abolish the law of *Moses*—he to shew after what manner in what case, a *good man* avail himself of the permission, which was granted by one of the political regulations of that law, which still subsisted at the time of his life. The question, consequently, is not concerning a cause of divorce brought before the judges; for, besides that an husband who would retaliate his wife was not obliged, according to the law, to do it in a judicial way, it must be observed, that when he accused his wife of adultery before the judges, that would have tended to her being punished with *death*, according to the law, and not to the obtaining of a dissolution of the marriage.

* Also, where our LORD speaks of *adultery* as a just cause of divorce, he supposes, either a mild and kind hus-

• See before vol. i. p. 321—2.

“ band, who would not have his wife
 “ punished, however guilty she might
 “ be of infidelity—as *Joseph* acted with
 “ respect to *Mary* at the time when he
 “ could not know the miraculous cause
 “ of her pregnancy—or else an husband
 “ who had not full legal proof of his
 “ wife’s infidelity, though he was per-
 “ suaded of it, or even had indubita-
 “ ble proofs with respect to himself.”

Then follows a long passage on the subject of divorce; after which, *Barbeyrac* gives us *Grotius’s* thoughts on the latter part of the *verse*.

“ Dans les paroles suivantes—& celui
 “ qui épouse la femme repudiée, commet
 “ adultère—la loi de Moïse subsistant en-
 “ core, comme nous l’avons dit, il faut
 “ entendre les paroles de JESUS CHRIST
 “ de celui qui épousoit une femme re-
 “ pudiée, avant qu’on eût tenté toutes
 “ les voies possibles de la reconcilier
 “ avec son mari, comme l’Apôtre St.
 “ Paul le prescrit, 1 Cor. vii. 11, ou
 “ ce qui est encore pis, de ceux qui
 “ étant devenus amoureux des femmes
 “ d’autrui cherchoient à s’en emparer
 “ par un divorce.

“ C’est aussi à cela que se rapporte ce
 “ qui dit notre *Seigneur*, Matt. xix. 9.
 ou

“ mêmes, quand il composa l'ouvrage
 “ que nous' expliquons, quoiqu' il
 “ n'aît depuis rien changé dans cet en-
 “ droit.

“ De tout ce que l'on vient de voir,
 “ il s'ensuit, que dans les passages de
 “ l'évangile qu'il cite ici en marge
 “ pour montrer que nôtre Seigneur JE-
 “ SUS CHRIST a défendu par une de
 “ ses loix la *polygamie*, il ne s'agit que
 “ du *divorce*; & cela par opposition
 “ aux fausses idées des *Juifs*, qui le croi-
 “ oient permis en conscience pour quelque
 “ cause que ce fût. Matt. xix. 2.

“ Aussi voyons nous que notre auteur
 dans son traité *de la vérité de la reli-
 gion Chrétienne*, publié pour la pre-
 mière fois en 1639, c'est à dire, en-
 deux ans avant ses *notes sur
 le Nouveau Testament*; lorsqu'il parle
 du mariage d'un avec une, après a-
 voir dit qu'il y en a peu des nations
 qui pratiquent le polygamisme parmi lesquelles
 on ne trouve point de contenté d'une femme,
 comme les *Germaines* & les
 autres, seulement, que les
 Juifs ont eu cette maniere de
 13. & dans les
 passages de l'é-
 criture sainte ces paroles
 “ de

“ ou il explique plus au long sa pensée.
 “ *Celui qui répudiera sa femme, ET EN*
 “ EPOUSERA UNE AUTRE, &c. car &
 “ celui qui épousoit la femme repu-
 “ diée, empêchoit par là qu'elle ne re-
 “ tournât avec son mari, qui n'auroit
 “ pû après cela la reprendre, quand il
 “ l'auroit voulu ; & le mari de la femme
 “ repudiée, des-là qu'il en épousoit une
 “ autre, donnoit lieu de croire qu'il
 “ n'étoit point disposé à reprendre la
 “ première, & ainsi il lui fournissoit oc-
 “ casion, entant qu'en lui étoit, ou de
 “ s'abandonner à l'impudicité, ou de
 “ s'engager avec un autre mari : car
 “ c'est ainsi qu'il faut entendre le terme
 “ *μοιχᾶται* que l'on traduit *commet adul-*
 “ *tère*, mais qui doit signifier la même
 “ chose que *ποιεῖ μοιχᾶσθαι* fait *commet-*
 “ *tre adultère*, dans l'autre passage pa-
 “ rallel du même évangéliste ; selon le
 “ stile des *Hebreux* qui attribuent à
 “ quelqu'un directement, ce à quoi il
 “ donne occasion par quelque action
 “ propre. Voiez. Rom. viii. 26. Gal.
 “ iv. 6.

“ Voila en substance ce que dit no-
 “ tre auteur dans ses notes sur le *Nou-*
 “ *veau Testament*. D'où il paroît, que
 “ ses idées n'étoient pas tout-à-fait les
 “ mêmes,

“ mêmes, quand il composa l'ouvrage
 “ que nous expliquons, quoiqu' il
 “ n'ait depuis rien changé dans cet en-
 “ droit.

“ De tout ce que l'on vient de voir,
 “ il s'ensuit, que dans les passages de
 “ l'évangile qu'il cite ici en marge
 “ pour montrer que nôtre Seigneur JE-
 “ SUS CHRIST a défendu par une de
 “ ses loix la *polygamie*, il ne s'agit que
 “ du *divorce*; & cela par opposition
 “ aux fausses idées des *Juifs*, qui le croi-
 “ oient permis en conscience pour quelque
 “ cause que ce fût. Matt. xix. 2.

“ Aussi voyons nous que notre auteur
 “ dans son traité *de la vérité de la reli-*
 “ *gion Chrétienne*, publié pour la pre-
 “ miere fois en 1639, c'est à dire, en-
 “ viron deux ans avant ses *notes sur*
 “ *le Nouveau Testament*; lorsqu'il parle
 “ du mariage d'un avec une, après a-
 “ voir dit, qu'il y en a peu des nations
 “ dans le paganisme parmi lesquelles
 “ on se soit contenté d'une femme,
 “ comme faisoient les *Germaines* & les
 “ *Romains*; ajoute seulement, que les
 “ Chrétiens suivent cette maniere de
 “ mariage, lib. ii. § 13. & dans les
 “ notes il ne cite aucun passage de l'é-
 “ vangile, mais seulement ces paroles
 “ de

“ de 1 Cor. vii. 4. *Une femme n'est pas*
 “ *maitresse de son corps, mais son mari ;*
 “ *de meme un mari n'est pas maitre de son*
 “ *corps, mais sa femme.* Or, dans ses
 “ notes posthumes sur les epîtres, il
 “ explique ces paroles conformément à
 “ la suite du discours, comme n'em-
 “ portant autre chose que le droit qu'a
 “ une femme d'exiger que son mari ne
 “ lui refuse point le devoir conjugal ;
 “ parce que en vertu du mariage, elle
 “ entre avec lui dans une société qui de-
 “ mande l'usage reciproque de leurs
 “ corps : Οὐκ ἐξαιρεῖ *hic est, non habet*
 “ *jus plenum atque integrum ; nam non vitæ*
 “ *tantum, sed & corporum est inita voi-*
 “ *vovia.* *In re autem sociali, nemo so-*
 “ *ciorum jus plenum habet.*

“ Mais il n'ensuit point de là, qu'un
 “ mari ne puisse avoir plus d'une femme :
 “ car les sociétés ne se font pas tou-
 “ jours sur un pié égal. Ainsi ce n'est
 “ que par accommodation que notre
 “ auteur applique ici les paroles de St.
 “ Paul, & pour donner à entendre que les
 “ Chrétiens ont renoncé à la *polygamie*,
 “ plutôt pour suivre l'esprit & le genie
 “ de l'evangile, qui porte à éviter ce
 “ dont on peut abuser facilement, que
 “ pour obeir à une loi expresse de nô-
 tre

“ tre *Seigneur*, ou de ses apôtres. Voiez
 “ Mr. *Le Clerc*, Hist. Ecclef. Prolegom.
 “ sect. 3. c. iv. sect. 5. num. 9. p. 162.
 “ Il n’y a nulle apparence que JESUS
 “ CHRIST aît voulu obliger ceux qui
 “ avoient plusieurs femmes, avant que
 “ de devenir ses disciples, à les ren-
 “ voier toutes, hormis une.”

“ In the words which follow—*And*
 “ *he that marrieth her that is put away,*
 “ *committeth adultery*—the law of *Moses*
 “ yet subsisting, as we have before ob-
 “ served, we must understand the words
 “ of JESUS CHRIST to concern him
 “ who married a *divorced woman*, be-
 “ fore all possible ways had been tri-
 “ ed to reconcile her to her husband,
 “ as St. *Paul* prescribes 1 Cor. vii. 11.
 “ or, what is worse still, of those who
 “ having become fond of the wives of
 “ others, endeavoured to get * possession
 “ of them by means of a *divorce* in
 “ order to possess them.

“ It is to this also, that what OUR
 “ LORD saith, Matt. xix. 9. relates,
 “ where he explains his meaning more
 “ fully — *Whosoever putteth away his*
 “ *wife, and MARRIETH ANOTHER, &c.*”

* See before vol. i. p. 378, 379.

“ for both he who married the *divor-*
 “ *ced* woman, hindered her by that
 “ means from returning to her husband,
 “ who could not, after this, have ta-
 “ ken her if he would; and the hus-
 “ band of the divorced wife, from the
 “ instant he married another woman,
 “ gave occasion to think, that he was
 “ not at all disposed to retake the first
 “ woman; and thus he gave occasion
 “ to her, as far as in him lay, either
 “ to abandon herself to lewdness, or
 “ to engage with another * husband.
 “ For it is thus we must understand
 “ the term *μοιχᾶται*, which they trans-
 “ late—*committeth adultery*, but which
 “ ought to signify the same as—*ποιεῖ*
 “ *μοιχᾶσθαι*—*causeth to commit adultery*;
 “ as in the parallel place of the same
 “ evangelist —(c. v. 32.)—according to
 “ the style of the *Hebrews*, who at-
 “ tribute that to a person *directly*,
 “ which by any action of his own he
 “ is the *occasion* of.” See Rom. viii. 26.
 Gal. iv. 6.

“ This is the substance of what our
 “ author says in his notes on the *New*
 “ *Testament*: from whence it appears,

* See before vol. i. 391, 393.

“ that

“ that his ideas were *not altogether the*
 “ *same* when he composed the work
 “ which we are now explaining, though
 “ he has not since made any alteration
 “ in this passage.

“ From all that we have been ob-
 “ serving, it follows, that in the pas-
 “ sages of the gospel, which *Grotius*
 “ here cites in the margin, to shew
 “ that our SAVIOUR prohibited, by one
 “ of his laws, *polygamy*, the subject
 “ was only concerning *divorce*; and
 “ that in opposition to the false no-
 “ tions of the *Jews*, who believed that
 “ in conscience it was permitted for any
 “ cause *whatsoever*. Matt. xix. 2.

“ Let us observe also, that our au-
 “ thor, in his treatise of the *truth of the*
 “ *Christian Religion*, first published in
 “ 1639, that is to say, about two years
 “ after his *notes on the New Testament*,
 “ speaking of the marriage of *one man*
 “ *with one woman*, after having said that
 “ there were few heathen nations, a-
 “ mong which people contented them-
 “ selves with *one wife*, as the *Germans*
 “ and *Romans* did, only adds, that the
 “ *Christians* followed this manner of
 “ marriage, lib. ii. sect. 13; and in the
 “ notes he does not cite a single pas-
 “ VOL. II. E e “ sage

“ sage from the gospel, but only these
 “ words of 1 Cor. vii. 4. *The wife*
 “ *hath not power of her own body, but*
 “ *the husband; and likewise also the hus-*
 “ *band hath not power of his own body,*
 “ *but the wife.* But in his posthumous
 “ notes on the *Epistles*, he explains these
 “ words conformably to the sequel of
 “ the discourse, as importing nothing
 “ else but the right which a wife hath
 “ to require that her husband shall not
 “ refuse her the conjugal duty; because,
 “ in virtue of the marriage, she enters
 “ with him into a society which de-
 “ mands the reciprocal use of their bo-
 “ dies. *’Oux itssiaze,* here signifies—
 “ *he has not a full and entire right—*
 “ *for a communion, not of life only, but*
 “ *of their bodies also, is entered into.*
 “ However, in a matter of *partnership,*
 “ *neither of the parties have a full*
 “ *right.*

“ But it doth not follow from thence,
 “ that a man can have but *one wife*; for
 “ partnerships are not always made upon
 “ an equal footing. So that it is only
 “ by way of accommodation that our *au-*
 “ *thor* applies these words of *St. Paul,*
 “ and to give us to understand, that
 “ *Christians* renounced *polygamy,* rather
 “ to

Barbeyrac, in another part of the *French* notes on his translation of *Grot. de Jure*—viz. *Liv. i. c. 1. sect. 15. n. 3.*—expresses himself thus—

“ Quand Moïse dit que l'homme quittera son pere & sa mere, pour s'attacher à sa femme, & qu'ils deviendront une seule chair, cela ne fait rien ni pour, ni contre, la polygamie, où le divorce; l'expression, devenir une seule chair, signifie seulement par elle-même, qu'il y auroit, entre un mari & sa femme, une union très étroite : mais elle n'emporte point qu'un mari ne puisse avoir en même tems une semblable

from the bones, *Ezek. xxxvii. 10.*—they stood up upon their feet an exceeding great army. See *Chron. Tab. Mosheim*, *MacLaine* edit. vol. ii. 581—2.

To alter GOD'S LAW relative to marriage, for fear of abuse, is about as wise and holy, and as respectful to the wisdom of the DIVINE LAWGIVER, as taking the *Bible* away from the Popish laity, in order to prevent heresy and schism, and to preserve the unity of the church. See before, p. 325, n.

When persons speak of the spirit and genius of the gospel, as distinguishable from the spirit and genius of the law, with respect to purity and holiness, they usually say a great deal more than they are authorized from the scriptures to speak, or, perhaps, than they themselves understand.

If the New Testament says—*As He which hath called you is holy, so be ye holy in all manner of conversation*—it is added—*because it is written, Be ye holy,*

“ semblable liaison avec deux ou plu-
 “ sieurs femmes ; & a l’égard de la disso-
 “ lution du mariage, tout ce qu’on en
 “ peut inferer, c’est qu’il ne doit pas être
 “ rompu legerement, & sans quelque
 “ bonne raison. Selon le stile des He-
 “ breux, le mot de *chair* marque toute
 “ liaison, tant d’affinité que de con-

boly, for I am holy. Comp. 1 Pet. i. 15, 16. with
 Lev. xix. 2.

*I went down to the potter’s house (saith Jer.
 xviii. 3.) and behold he wrought a work on the
 wheels. And the vessel that he made of clay was
 marred (גשחת—spoiled) in the hand of the potter ; so
 he made it again another vessel, as seemed good to the
 potter to make it.*

Certainly the poor potter could do no otherwise ;
 if he spoiled the vessel in the making, he must repair
 his loss by making it over again ;—but shall we
 imagine that the all-wise God, either for want of
 wisdom or foresight, miscarried or failed, in point
 of holiness and purity, with respect to the LAW
 which he framed for the moral government of his
 creatures under the Old Testament, and therefore
 corrected his mistake, and made another and a bet-
 ter LAW for that purpose, under the New Testa-
 ment ?

Contending for a purity and holiness in the New
 Testament, which is not in the Old Testament, is
 but saying all this in other words, and coinciding
 with the principles of Cerinthus, Mahomet, and
 Socinus. See before vol. i. 323, 324, 347, 349.

Manes and Cerinthus were consistent, for as they
 rejected the law of the Old Testament, they at the
 same time rejected the God of the Old Testa-
 ment.

“ sanguinité, comme l’a remarqué Mr.
 “ *Le Clerc*. C’est ainsi que *Laban* dit à
 “ *Jacob*, Gen xxix. 14. *Tu es mon os*
 “ *& ma chair* — c’est-à-dire, je vous
 “ reconnois pour un des mes parens.
 “ Comme donc tout autant de parens qu’a
 “ une personne font sa *chair*, de même
 “ rien n’empêche qu’un homme ne puisse
 “ être dit, selon ce stile, *une même chair*
 “ avec plusieurs femmes.”

“ When *Mosès* says, that *a man shall*
 “ *leave his father and mother, and cleave*
 “ *to his wife, and they shall become one*
 “ *flesh*—this makes nothing for or a-
 “ gainst *polygamy* or *divorce*; the expres-
 “ sion—*become one flesh*—signifies only
 “ by itself, that there should be between
 “ a man and his wife a most strict uni-
 “ on: but it does not import that an hus-
 “ band may not have at the same time,
 “ a like bond with *two or more wives*.
 “ As to the dissolution of the marriage,
 “ all that one can infer from it is, that
 “ it ought not to be broken lightly, and
 “ without some good reason. Accord-
 “ ing to the stile of the *Hebrews*, the
 “ word *flesh* denotes all relation, as well
 “ of affinity as of consanguinity, as Mr.
 “ *Le Clerc* has observed. Thus *Laban*
 “ says to *Jacob*, Gen. xxix. 14. *Surely*
 “ *thou art my bone and my flesh*—that
 “ is

“ is to say, *I acknowledge thee for one of*
 “ *my relations.*—As therefore all the re-
 “ lations which any person hath are his
 “ flesh, so nothing hinders, but that a
 “ man, according to this style of speak-
 “ ing, may be called *one same flesh* with
 “ many wives.”

On that part of *Liv. ii. c. v. sect. 9.*
 where *Grotius* says—that “ God’s giv-
 “ ing but one woman to one man, suf-
 “ ficiently shews what is most agreeable
 “ to God, and consequently this has
 “ always been comely and commend-
 “ able; but it does not follow, adds
 “ *Grotius*, that one cannot do otherwise
 “ without a crime : for where there is
 “ no law, there is no violation of law :
 “ now at that time there was no law
 “ about the matter.”

Grotius has a long note on part of this
 passage, which *Barbeyrac* translates; and
 then adds—

“ A juger de cette question, indépen-
 “ damment des loix civiles, il est cer-
 “ tain que souvent on ne pourroit user
 “ de la liberté de la *polygamie*, sans pe-
 “ cher contre quelque vertu, & s’enga-
 “ ger dans des inconvéniens facheux ;
 “ à cause desquels la prudence des légis-
 “ lateurs a demandé qu’on défendît en-
 “ tierement d’avoir plus d’une femme à

“ la fois. Mais on ne sauroit inferer de
 “ là que la chose soit mauvaise en elle-
 “ même, selon le droit naturel : tout ce
 “ qu’on peut dire, c’est que c’est une des
 “ ces choses indifferentes de leur nature,
 “ dont il est facile d’abuser, comme le
 “ jeu, par exemple, & plusieurs autres
 “ divertissemens, dont le plus sûr est
 “ de se priver, pour peu qu’on se
 “ sente de la disposition à en faire mau-
 “ vais usage.”

“ To judge of this question, indepen-
 “ dently of civil laws, it is certain, that
 “ often one cannot use the liberty of
 “ *polygamy* without offending against
 “ some virtue, and engaging in griev-
 “ ous inconveniences; on account of
 “ which, the prudence of legislators
 “ has required, that the having more
 “ than *one* wife at a time, should be
 “ prohibited * entirely. But we can-
 “ not

* The Marquis of *Beccaria*, in his ingenious
 essay on Crimes and Punishments—c. xl. *On false*
Ideas of Utility—observes, that—“ A principal
 “ source of errors and injustice, are false ideas of
 “ utility. For example—that legislator has false
 “ ideas of utility, who considers *particular* more than
 “ *general* inconveniences; who had rather *command*
 “ the sentiments of mankind, than *excite* them, and
 “ dars to say to reason—“ be thou my slave;”—
 “ who would sacrifice a thousand real advantages,
 “ to the fear of an imaginary or trifling inconve-
 “ nience; who would deprive men of the use of
 “ fire,

“ not infer from thence, that the thing
“ is evil in itself, according to natural

“ fire, for fear of their being burnt, and of water,
“ for fear of their being drowned ; and who knows
“ of no means of preventing evil but by destroying
“ it.”

The indiscriminate and total prohibition of *polygamy*, in order to prevent its *abuse*, falls directly within the above observation, and is one of those proofs of human absurdity, with which the history of mankind abounds, even taken in a temporal view, as might be instanced in many *situations* to which married men may be unavoidably reduced. See before, vol. i. p. 181—184. Their being condemned to suffer all the inconveniences, and to be exposed to all the mischiefs of *those situations*, because others, who are not in the same, may *abuse* that mode of relief which the law of God affords, is an attack upon the *divine legislation*, an arraignment of the *divine wisdom*, and an unauthorized encroachment on the *natural rights* of mankind.

The same may be said of the prevention of *clandestine marriages*, by vacating the *bond of marriage*, and releasing the parties from all matrimonial obligation whatsoever.

Thus also, depriving a contracted woman of the exaction of that right which God's law positively gives her, and the law of this land once afforded her, to the destruction of her character, comfort, and peace of mind for ever—this, because, now and then, a *clandestine marriage* might hurt the pride, or disappoint the avarice or ambition, of a few individuals.

In short, the whole is replete with *folly*, and, as far as the *divine law* is concerned, with *wickedness*; and reminds one of the *blacksmith*, who, seeing a *fly* on the forehead of his sleeping infant, struck at the *insect* with his *sledge-hammer*, killed the *fly*, and at the same time dashed out the brains of his child.

“ right :

“right: all that can be said is, that it
 “is one of those things indifferent in
 “their nature, which it is easy to abuse;
 “such as *gaming*, for instance, and
 “many other amusements, of which it
 “is the surest way to deprive ourselves,
 “if we perceive in the least a disposi-
 “tion in ourselves to make a bad use of
 “them.”

Barbeyrac, on Grot. de Jur. liv. i. c. 1.
 § 17. note 3. lays it down as a rule, that
 —“God cannot absolutely permit the
 “least thing which is evil in itself,
 “though he be considered as acting in
 “the quality of a temporal monarch”—
 (as under the theocracy)—“for this
 “character does not strip him of his
 “holiness, nor does it hinder us from
 “supposing that he approves, as innocent
 “at least, all that he permits, either in
 “formal terms, or by necessary conse-
 “quence from any express law or or-
 “dinance. Here then, in my opinion,”
 adds he, “are the consequences which
 “we may draw from the divine permis-
 “sion, where reasons drawn from the
 “nature of the things themselves, to
 “which attention is always to be paid,
 “may appear doubtful.”

He then proceeds to lay down two
 general

general rules, which are well worth our attention.

“ I. *Quand Dieu permet une chose en certain cas, ou à certaines personnes, ou par rapport à certaines gens ; on doit inferer de là, que cette chose permise n'est point mauvaise de sa nature.*”

“ I. When God permits a thing in a certain case, or to certain persons, or with respect to certain people, we ought to infer from thence, that the thing which is permitted is *not evil in itself.*”

After giving other examples to illustrate this rule, he proceeds—

“ Il est defendu aux Rois, par la loi de Moïse (Deut. xvii. 17.) *D'avoir un trop grand nombre des femmes*, de peur qu'elles ne les portent à violer la loi : par là le législateur permet tacitement à eux, & à tous les autres, d'avoir plus d'une femme sans quoi la défense seroit fort superflue. Donc la *polygamie* n'est pas mauvaise, & illicite de sa nature.

“ By the law of *Moses* (Deut. xvii. 17.) the kings (of *Israel*) are forbidden to have *too great a number of wives*, lest they should carry them into a violation of the law : by this the *legislator* tacitly permits them, and all others, to
“ have

“ have more than one wife, otherwise the
 “ command were * superfluous. From
 “ hence it follows, that *polygamy* is not
 “ evil and illicit in itself.”

“ II. *Lorsque DIEU regle la maniere*
 “ *d'une chose, ou qu'il fait par rapport à cette*
 “ *chose, quelque autre reglement, qui sup-*
 “ *pose necessairement qu'elle est permise ; il*
 “ *faut voir s'il s'agit d'un seul acte pas-*
 “ *sager,*

* The intention of the commandment relative to the *kings of Israel* (Deut. xvii. 17.) appears plainly from the very words of it—which are not—that they *shall not have more than one wife at a time*—but that the *king*—לא ירבה—*non multiplicabit*, Mont.—*shall not multiply (or increase to a multitude) women to himself*—so as to imitate the *kings of the heathen*, who had numbers of *women* of all nations, partly for *state*, partly for the provocation and indulgence of *sensuality*, and this to such a degree, as wholly to neglect all public affairs, and to sink into the most shameful sloth and effeminacy. Therefore it is added—ולא יסור לבבו—that *his heart turn not away*—not only from the affairs of the *kingdom*—but into *apostacy* from *God* to *idols*, being solicited thereto by the fondness he might entertain for a variety of *women* taken to supply his pleasures, some of them perhaps *heathens*, to which he might be attached, if once he gave a loose to an unbounded appetite. The wisdom of this command, appears from the melancholy history of *Salomon*, as recorded 1 Kings xi. 1—8.

Mr. *Pope*, in one of the most beautiful poems that our language ever produced, has finely, and indeed *scripturality*, represented *Salomon* as saying—

Charm'd

“ emporte toujours une véritable ap-
 “ probation de la chose dont il s’agit,
 “ comme licite par elle-même. Il est
 “ impossible que DIEU permette, par
 “ exemple, le métier de *brigand*, de *pi-*
 “ *rate*, d’*assassin*, de *duelliste*, &c. sous
 “ quelques conditions que ce soit. Lors
 “ donc qu’on voit qu’il règle certains cas
 “ qui supposent la *polygamie* permise,
 “ comme dans Deut. xxi. 15. on a tout
 “ lieu d’inferer de cela seul que la *poly-*
 “ *gamie* n’est pas nécessairement contraire
 “ au droit naturel.

“ In the latter case, the permission
 “ always implies a real approbation of
 “ the thing in question, as lawful in itself.
 “ It is impossible that God should allow
 “ the trade, for instance, of a *robber*—of
 “ a *pirate*—of an *assassin*—of a *duellist*, &c.
 “ under any conditions whatsoever. As
 “ then we see that He regulates certain
 “ cases, which suppose a permission of
 “ *polygamy*—as in Deut. xxi. 15.—we are
 “ at full liberty to infer from thence, that
 “ *polygamy* is not necessarily contrary to
 “ *natural right*.”

More transcripts might be made from
 this very learned and ingenious man, to
 the same purpose; but these are sufficient
 to shew the force of TRUTH, over a li-
 beral and candid mind, where *scripture* is
 made

made the one standard of decision as to *good* and *evil*. Influenced by this, the great *Grotius* shall vary from his first opinions; and *Barbeyrac*, though no friend to *polygamy*, yet does not offer, in a single instance, to condemn it on the footing of *divine revelation*; he fairly and *honestly* owns, that its abolition has been owing to *human legislation ONLY*—and of course, that it is not *evil in itself*—not forbidden either in the *Old* or *New Testament*;—so far from it, most certainly approved and allowed—and, as such, *regulated* by the *divine law*.

I would not be understood to have quoted *Grotius*, *Barbeyrac*, or any other great and learned *author*, in the course of this work, with the least view of determining any matter of *faith*, or of *deciding*, either one way or the other, as to what is agreeable, or otherwise, to the *mind* and *will* of God, touching any of the points which have been discoursed upon. The writings of *men* are evidence of their *opinions*; but whether those *opinions* are *right* or *wrong*, can only appear from their conformity or disagreement with the scriptures. To these *alone*, therefore, we must appeal, for all decision in religious matters—if we think with *these*, we need not concern ourselves who differs from us; if our notions of *religious truths* are only
derived

derived from the *opinions* or *reasonings* of fallible men like ourselves, we are on no better footing than our *Popish* neighbours, or our *heathen* ancestors, as to any reason *which we can give for the hope that is in us.*—Therefore let me *finish* the whole of this WORK, as I *concluded* the *Introduction* to it—TO THE LAW AND TO THE TESTIMONY.—If. viii. 20.

As for any thing else, whether it be the wisdom of *Plato*, *Aristotle*, *Cicero*, &c. among the *antients*—of *Sir Isaac Newton*, *Mr. Locke*, *Bishop Warburton*, or the *old woman* that sells *apples* at the corner of a street, among the *moderns*—the *author* esteems it all equally venerable, equally to be depended upon, where *GOD's mind and will* is concerned, *independently of revelation*; and he does earnestly hope, that every *reader*—if the *author* might presume to name himself after such *great authorities*—will, throughout the perusal of *these volumes*, treat him in the *same way*, and not believe one word, but as it appears consonant to the *scriptures*—For *what man knoweth the things of a man, save the spirit of a man which is in him? Even so, the things of GOD knoweth no one (ὅδεις) but the spirit of GOD.* 1 Cor. ii. 11.

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